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*The*  
**SPEAKER of the HOUSE**  
*The Romantic Story of*  
*John N. Garner*







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WASHINGTON

The Speaker of the House, John Nance Garner

*The*  
**S P E A K E R**  
*of the*  
**H O U S E**

*The Romantic Story of  
John N. Garner*

By  
**George Rothwell Brown**

**BREWER, WARREN & PUTNAM**  
**NEW YORK · 1932**

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# THE SPEAKER OF THE HOUSE

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*The Romantic Story of John N. Garner*



## *Chapter One . .*

A SLENDER, boyish-looking young fellow, with bright, inquisitive gray eyes looking out with eager interest from beneath a broad-brimmed hat, might have been seen one brisk November day, thirty years ago, walking apparently aimlessly through the streets of Washington.

The aimlessness was only apparent. There was deep-rooted purpose in his mind as he trudged along. Now and then he stopped, and surveyed a formidable array of houses which bore in their front windows little printed signs, in the quaint old Washington style: "Rooms and Board."

He needed only a loaf of bread under each arm to suggest another Benjamin Franklin, alone and forlorn, making his first survey of the great city.

But to tell the truth, he was far from forlorn, for

he was upon the threshold of fame and adventure, and in his heart he knew it. He had just arrived in town. His young wife, and his baby boy, had been tucked away temporarily in one of the smaller hotels, and he was faring forth upon an errand which, once upon a time, in almost identical circumstances, had engaged the attention of an humble Congressman from Illinois named Abraham Lincoln. John Nance Garner was looking for a boarding house! In his quaint, independent way he didn't ask somebody else to find one for him. He went out, in person, to find it himself.

The stories of how he found it, and there in modest circumstances and surroundings laid the foundation of many enduring friendships with interesting men who later on were to rise to great distinction; and of how, the next day, a youngster weighing but 123 pounds, he took his seat for the first time in the House of Representatives, so obscure that none dreamed of the eminence to which in after years he was to attain, constitute one of the entralling romances of American politics.

The West which had nurtured Lincoln had left upon him its indelible brand, an imprint that nearly a third of a century of continuous service in public life at the Nation's Capital has not even yet effaced.

He walked stiff-legged, as one who had ridden much in hard, long-stirruped saddles. His clothes were loose and comfortable, but the only style they possessed was

that conferred by a singularly distinctive personality.

If the boarding house for which he so industriously searched in November, 1903, was somewhat different from that for which the impecunious Lincoln had looked, in the same month, in the year 1847, the circumstances which impelled both quests were identical. Each man had discovered, upon reaching Washington, that a Congressman's pay dwindled steadily in importance as one got farther and farther from home.

And John Nance Garner had come from a much greater distance than had Lincoln, for the extremity of his district on the far Rio Grande lay a good thousand miles nearer the setting sun than the old-fashioned law office in Springfield which the Illinois man of destiny had quit to begin that career in public life on the national stage which was to lead him to the White House.

If the newly hatched baby Congressman from the ranges of Texas, as he entered upon his own career, had given any thought to Lincoln—and who knows but what he did—he might have recalled another striking point of similarity.

John Nance Garner was born in a mud-chinked log cabin, at Blossom Prairie, not far from the little town of Detroit, in Red River County, Texas, November 22, 1868. This is in the northeastern part of the State, some ten miles south of the Oklahoma line. But sixty-three years ago the present State of Oklahoma had not

been wrested from the wilderness. It was toward Indian Territory that the settlers looked when there were signs of trouble in this distant outpost of civilization on the border of the Old Southwest.

It was a pleasant farming country, and still is, today, with a deep, rich, black soil. In the boyhood of the man who was afterward to go to Congress, and become the Speaker of the House of Representatives, and the leader of a great party, there was much forest, including groves of oaks and pecan trees.

Of modern transportation there was none. Even today, off the main highways, the roads are all but impassable in winter. Life was hard and primitive for the early settlers, but the Garners were thrifty, hard-working, and, for the times, prosperous people, God-fearing, and going back in their lineage to the bedrock of American Colonial inspiration. Most of them were Methodists, and in this religion the boy was reared.

John Nance Garner wore his name by right of inheritance through a long line of John Nance Garners, who had played their part in the rugged days when new States were being opened to early American settlement, and had gone their way, and left behind one of those splendid family traditions which in the aggregate comprise the early history of the United States.

The Speaker of the House is the fourth of his name in a straight line. His father was John Nance Garner

before him, as his father had been before him, and his grandfather had been before them all. The name appears to have begun with the Speaker's great-grandfather. Both the Garners and the Nances had settled in Virginia prior to the Revolution.

The Nance family, it appears from family records, is descended from Clement Nance, who was born in Virginia about the year 1756.\* The family had gone from Wales to France to escape religious persecution, and had then moved on to America. They were Protestants, most of them in this country Methodists or Baptists, with some belonging to the Christian Church.

The Nances began leaving Virginia as early as 1803. They spread out into Kentucky, Tennessee, Indiana, Illinois, and other western lands. As early as 1805, one family of them sailed down the Ohio and Mississippi rivers, on a flatboat, and settled in what is now Oklahoma, then the primeval wilderness of the Louisiana Purchase, which President Jefferson had just bought.

There was a Nance with George Washington at Braddock's defeat, and there was another, Zachariah Nance, with him at Yorktown.

The Nances were aristocratic people, for all their homely democracy and indifference to the hardships of pioneer life. They had a coat of arms, with the motto "*Per Mare Per Terras*," which is to say, "By sea, by land." The motto of a bold and adventurous race.

\* The Nance Memorial, by George W. Nance.

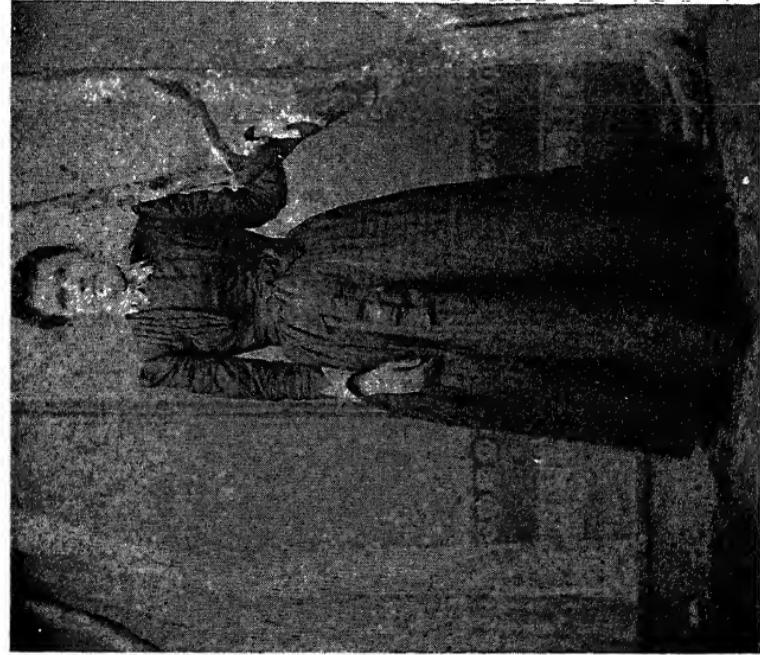
There is a record showing that the original Clement Nance, then living in Pittsylvania County, Virginia, had freed a slave he owned in the year 1799.

The branch of the Garner family from which the Speaker is descended moved into Tennessee, where the father of the first John Nance Garner married a daughter of the Nance family. Andrew Jackson was the great hero of the day, and the family absorbed the principles of democracy in the very air they breathed.

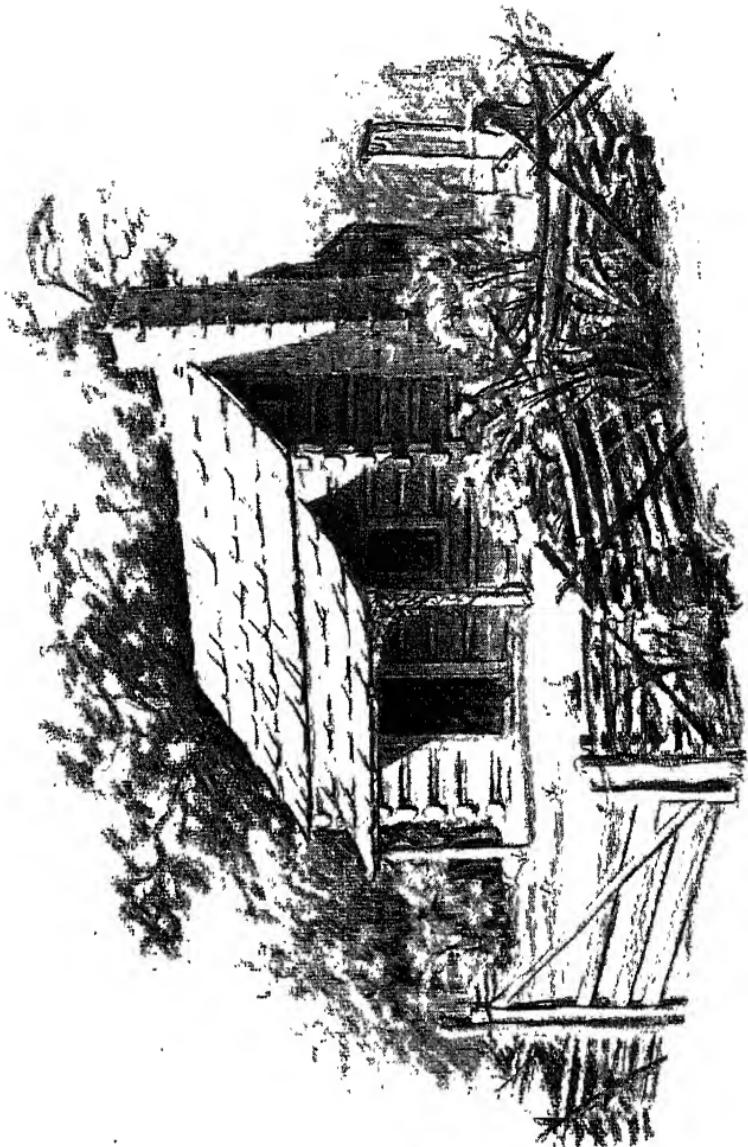
As so many Tennesseans did, the Garners followed the star of their destiny where Austin and Houston had blazed the way. They came to a stop in the northeast corner of the vast domain of Texas, and there most of them remain to the present time.

But it was a woman, and not a man, who led the family on this migration. How often in America has it not been the indomitable spirit of womanhood that has carried the torch of advancing civilization! It was the Speaker's grandmother, Mrs. John Nance Garner, who was Miss Katherine Walpole, who moved from Tennessee to Texas with her six children, her husband having died when they were small. It was she who selected the homestead on the prairie south of Detroit, in the year 1842, when the Speaker's father was 4 or 5 years old. This pioneer woman is buried at what was known as old Starksville, then a stop on the old stage line running south from Detroit. Here and there on the homestead today are gravestones, and one of these

John N. Garner



The Speaker's mother in his boyhood



Birthplace of John N. Garner

identifies the resting place of John N. Garner's heroic grandmother.

The elder John N. Garner, father of the Speaker, was one of three sons of the older John Nance Garner, one of whom died without leaving any children, and one of whom died leaving a daughter. The third son, the Speaker's father, had several children, including three sons, John N., Jesse and Jolly Garner, of Detroit, Texas. The last two are farmers, as their father had been before them. The Speaker also has two sisters living in Detroit, Mrs. John Wright and Mrs. Maud Blair, a widow.

The father married Miss Sarah Guest, also of an old Red River county family of pioneer stock, and the Speaker, as did Lincoln before him, obtained his intellectual quality, his sensibilities, from his mother. At 82, she is still living in Detroit, not far from the little log cabin where she had gone as a bride, and where John was born, as bright and active as many a woman years younger. But her husband, the Speaker's father, is dead.

Young Garner's attitude toward his brothers and sisters, which he has always maintained, was strikingly shown when his father's estate was divided. He would not take a penny of it, but told them to divide it into five shares instead of six, one share going to the child of a deceased sister. This generosity in all probability he also inherited from his mother, who, when

she was bravely rearing her own flock, took seven motherless children into her home, and cared for them, so well, indeed, that her own sons and daughters sometimes complained that she was better to the orphans than she was to her own brood. But this was a pleasure, for in such a home there was no chance for the spirit of selfishness and jealousy to take root.

The Guests were prominent and successful people. They owned the bank in the little town of Detroit, and were active in all the local affairs of the community.

In every well-ordered family there is a spinster aunt. She is the custodian of the family Bible. She writes down, when everyone else would forget, the births, the marriages and the deaths. She seeks out obscure bits of family lore, stores them in a retentive memory, and leaves a neatly-kept record amongst her papers when she has done her earthly work and gone on to her well-earned reward.

John N. Garner, whose log cabin heritage was to prove no handicap to him when he should strike out in life for himself, was blessed with such a relative. "Aunt Kitty" Garner was his father's sister. She was the family historian. She had records to prove that the boy who was later on to become Speaker of the House was descended from that Robert Walpole who had been the great Prime Minister of England.

The Texas Walpoles were a collateral branch of the

Garner family. They were well-to-do, educated, and aristocratic people, proud of their name and of their country. One of them, Prof. James Walpole, was to exert a profound influence upon the young boy's life.

## *Chapter Two . .*

**Y**OUNG John Nance Garner started out in boyhood handicapped physically. He was much like Theodore Roosevelt in this respect.

Like the expounder of the "Strenuous Life," it was not until he neared maturity that the effects of vigorous contact with the out-of-doors, with much hard riding, hunting, fishing and adventures in forest and field, gave him rugged strength, an amazing vitality, and a never failing endurance.

He learned his alphabet at his mother's knee, and when, under the tutelage of Aunt Kitty, he had reached the point where he could spell cat with his eyes shut, it was decided that he should go to school.

Nowadays in the rural districts comfortable buses pick up the children of school age along the main-travelled roads, and carry them off to well-heated pub-

lic schools, located in convenient centers. Little John Nance Garner absorbed his early education at that fount of wisdom, the old-fashioned country school, a small, bare, unpainted building, on the edge of a pine clearing.

It was three miles from home, and John walked there every day. When he had finished his daily task with the three R's, he trudged back home again, as he had gone, on foot. It was still the Indian country, and often passing tribes flitted through the forest as the children were reciting their lessons to Prof. F. E. Butler, who was the future Speaker's first teacher, and is still held in grateful recollection.

It is a tradition in the Red River country that young John Garner was a pretty smart fellow, but that he wouldn't study. He was mischievous, and full of good humor, with a great fondness for practical jokes.

James Walpole, a scholarly man, and a cousin of the elder John N. Garner, lived at Blossom Prairie. He now took the future Speaker in hand, and gave him a good grounding in some of the branches of the higher learning. But schooling came hard, at first, and, for another thing, there was always a great deal of work for a boy to do on a farm.

Young Garner did his share, milking the cows, feeding the stock, planting in the Spring, and harvesting in the Fall. Also there were miles upon miles of fences to be ridden, to see that the cattle were kept within

their lawful bounds. He developed into a first-class cowboy, and acquired the unmistakable walk of the cow country.

When young John would take his gun down from its pegs over the fireplace, Mrs. Garner would make no further preparations for dinner—she knew that John always brought home a bag of game, wild turkey, wild ducks, or perhaps a deer. He was as expert with the rod as with the gun, and hunting and fishing have remained his best loved amusements.

Baseball was one of the earliest games to be played on the Texas frontier. However much it may have differed from the professional game of today, it was an even more exciting sport. Young Garner developed into a fairly good player, and on one occasion, which is still a Red River tradition, was on a team composed of boys from Blossom Prairie and Coon Soup Hollow, which undertook to defeat a team from Possum Trot. John at this time was short-stop on the team from Coon Soup Hollow, which was a small community, now long since passed away, four and a half miles southwest of Detroit. The Possum Trot nine held the northeast Texas championship, so that the momentous contest stirred a dozen small communities in that part of the state to their depths.

The great game is still unfinished. It ended in an argument and a free-for-all-fight, in which, according to tradition, all the players on both sides participated.

John Garner was known at this time as a boy of great exuberance of spirit, who made himself heard in the local world of baseball, and early developed on the diamond a trait that was to become marked in later life. He was particularly effective as the umpire, bringing warring factions together on the field, settling disputes, and rendering decisions from which none had the hardihood to appeal.

But his ambition to be a speaker dates not from the baseball contests of his early youth, but from a political meeting at Possum Trot, to which his father took him. Two local celebrities soared off into heroic flights of oratory, and factionalism rose to a high pitch as they wrangled over the constable's job. The young boy was enthralled by the eloquence of one of the contestants.

Yet so far as anybody can now recall, he did not aspire to shine on the Friday afternoon programs of the literary societies. He was content to take his speechmaking out on the baseball field, where the results were calculated to be practical. And this trait, too, has been a ruling one throughout life. He has never indulged in speech for the mere sake of hearing the sound of his own voice, or to contribute to the purely academic.

According to Red River tradition John was a "smart boy." He early showed a desire for learning. There was little enough to be had, at the little country school, at Bogota, where one Captain Rice was the teacher,

and also at Blossom Prairie, where his teacher was McD. Fletcher, an Irishman.

Then came John's first real adventure. He does not mention it in his brief biography in the Congressional Directory, but in his early youth, he journeyed back into Tennessee, whence his ancestors had come, and spent a year at Vanderbilt University. After he had been elected Speaker, the University searched the records, and established a previously unsuspected fact in which it now takes great pride.

After the first—and only—term, the boy returned to Blossom Prairie, and then began the study of the law in a private law office in Clarksville, Texas, the county seat of Red River County. He made unusual progress, absorbing Blackstone and Coke as a sponge absorbs water. He was admitted to the bar in 1890, at the age of twenty-two.

The firm with which he studied was composed of Capt. M. L. Sims and W. L. Wright, both leading lawyers in that part of Texas. While in Clarksville, he boarded at the home of W. P. Hopkins, and there laid the foundation of a life-long friendship.

In due time he was admitted to the bar, and settled down to practice law with no very encouraging prospects. There was an old safe in the law office, but John Garner rarely made a deposit in it. One day he walked into the office of Sam B. Stanley, then the owner of the Clarksville *Times*. His face was unusually long, for

him, for he had a sunny disposition, and was generally able to face the trials and tribulations of life with a smiling face.

"Sam," he said, "I'm sort of hard up these days. I wonder if I couldn't be elected city attorney? That would help a lot."

Mr. Stanley had a pretty shrewd idea that anybody who talked to young John Garner for a few minutes could be induced to vote for him, so he took the youngster on a tour of the town. It was only a few days before the election, and they were not enough. Young Garner was defeated by a small majority by C. D. Lennox, now President of the First National Bank of Clarksville. The outlook was discouraging, but one day a telegram came offering him a junior partnership with a lawyer in Uvalde. He hurried down the street, and burst into Mr. Stanley's office. The two talked it over.

"John," said the newspaper proprietor, "if you stick around your old home town you may get along all right, but before long you'll be just Old John Garner. If I were you I'd accept this offer."

Meanwhile, the young man's health had not been improved by the climate of Red River county. He decided that the higher altitudes of the Rio Grande country would be beneficial. He accepted the offer.

In Uvalde, the county seat of Uvalde County, was then formed the friendship with Tully Fuller which

played such an important part in his life. A law partnership was quickly formed, and late in 1890 the firm of Fuller & Garner hung up their shingle in Getty Street. They also acquired a small weekly paper, the Uvalde *Leader*, and young Garner found himself in his spare time performing the duties of a country editor, whose pen quickly made itself felt in the community.

Uvalde at this time was a small, straggling town of about 3,000 inhabitants, with wide streets, and one-story stores, which were generally left, unpainted, to be colored by the hand of nature. The new law firm did well from the start, and before a great many years had passed, young Garner was buying stock in the First State Bank of Uvalde, which he afterwards came to control. He also bought, later on, a controlling interest in the Zavalla County State Bank, at Crystal City, a small town 40 miles south of Uvalde.

The banking knowledge and experience thus gained were to prove of inestimable value in the years to come.

The early law firm afterwards took in John H. Clark, an older and more experienced member of the bar, when the firm became "Clark, Fuller and Garner," and still later young Garner went it alone, until the firm became, in the end, "Garner and Love." This was when he had taken into partnership, W. D. Love, now a member of the Board of Tax Appeals.

From the law it was only a step, in the Texas of

that day, into politics. It was not long before the ambition to be a statesman was burning upon him like the Texas sun on a prairie-dog village.

Soon it began to be noised about in Uvalde County that young John Garner was a reacher and grabber, and that the older fellows would better do something to keep him quiet. The county judgeship was decided on, and when this got about, it aroused the ire of a young lady, Miss Mariette Rheiner, who lived on a 30,000-acre ranch, down the river, in the county, where she had been born and had spent her childhood.

She had heard of this young Jack Garner whom people were beginning to talk so much about, and she had the very decided opinion that a boy who by local repute was the outstanding poker player of Texas had no business being on the bench. She had never seen him, but she had heard plenty. Being of a fighting family, she undertook to prevent that appointment. The Uvalde county woolsack must be kept spotless.

Miss Etty Rheiner came from a real fighting family. Her father, Peter J. Rheiner, born in St. Gallen, Switzerland, came to the United States an adventurous youngster, drifted out to California in the gold days, returned east and settled in Louisiana, and the Civil War coming on, went into the Confederate army as a matter of course. The surrender of Lee found him recovering from a battle wound in Texas. He liked the State better than the other places he had visited

in his wanderings, settled down, and married Mary Elizabeth Watson.

Etty Rheiner, if she had compared notes with the ambitious young lawyer of Uvalde, who could see nothing incompatible between holding four aces and holding court, might have discovered an interesting point in common.

She, too, was born in a log cabin. It was a large, comfortable house, made of upright cedar posts, plastered inside and out as smooth as a board, and painted white. The shutters were made of heavy timbers, and could be fastened securely from the inside. The Rheiner ranch was in the Indian country, and the Comanches were frequently in ugly mood in the young girl's childhood.

At nightfall her father always rode around the place, and one night—it is one of her most vivid recollections—he found a herder dead, and scalped. He dug the spurs into his horse, returned home at a gallop, found his young daughter out in the yard watching a Mexican cut the day's supply of fire wood, and made the family go inside, whereupon he barricaded the place against an Indian raid.

Nothing happened that night, but one day the negro cook came in almost pale with excitement. The Indians were coming! They came, and there was a narrow escape. Upon a child of three this made an impression which the passing years have not obliterated.

She was a motherless girl, and grew up lonesome, but self-reliant, on a vast ranch of 30,000 billowing acres, with no near neighbors.

Then she went away to school, at a girl's seminary in Tennessee. Her education completed, she returned home, and when her father died, she and a brother lived alone on the ranch. As her brother's business took him much from home, this meant that she was generally left to hold down the family hearthstone all by herself.

At this juncture in her domestic affairs one of her most intimate girl friends announced that she was going to the big city to study shorthand, and urged her to go along. It was alluring! Her brother objected, but a woman's way is commonly the prevailing opinion, and the two girls went up to San Antonio, and Etty Rheiner began the study of that science which in the years to come was to play such an important part in her life. For the mere love of something to do she became an expert stenographer.

One day on the train from Sabinal, as she was on her way back to San Antonio, a friend touched her on the arm and said:

"By the way, Miss Rheiner, may I have the pleasure of introducing Judge Garner, of Uvalde—you know"—he added with great tact—"the one you tried to defeat."

The eminent poker-playing jurist, aged 26, as he

looked into the young girl's eyes and acknowledged the introduction according to the proper form, knew that he held a winning hand.

A few months later they were married. There was something about the decisions of this young whirlwind judge, when he handed down the opinion of the court, that left no loopholes for appeal.

Mrs. John Nance Garner found no more arguments for impeding a career that was obviously being looked after by Providence.

Besides, from now on, she was on the other side of the market.

## *Chapter Three . .*

**N**EARLY every important event in the life of John N. Garner occurred in the month of November. The eleventh month of the year—in which elections, including Presidential elections, are held—has been his lucky season.

He was born in November, and it was on November 25, 1895, at the age of twenty-six, he and Miss Etty Rheiner were married at Sabinal. They spent the honeymoon in a boarding house in Uvalde, while the first little home was being built for them. This was a small, plain, five-room cottage. It is to be doubted whether the Garners have ever been any happier in the large, comfortable house they now own in Uvalde, than they were in this tiny home where they made their start in life together.

On September 24, 1896, their first and only child, a

son, was born. He was named Tully, after Mr. Garner's law partner.

Garner's first title as Judge had been won by virtue of an appointment to fill an unexpired term. He was re-elected for a second term, but suffered defeat when he again ran for the same office.

There were a great many Mexicans in Uvalde county, and "Tio Juan," as he was known to them, had always been very popular, and still is to this day. Frequently in his capacity of judge he would be called upon to authorize the expenditure of county funds needed to render medical assistance to some destitute Mexican.

According to a story that has become a Rio Grande tradition, one day during the campaign he concluded that too much money was being spent in this manner. Accordingly, with a friend, he purchased a box of pills, and an ill peon applying for aid, three of the pellets were given to him, with large savings to the county.

But upon enquiring into the sick Mexican's condition the next day, the young judge was shocked by the information that the man had died. Right then he vowed never to try to be a doctor again.

Judge Garner was then called upon to authorize the burial of the corpse, which he did with a heavy heart. Aside from his own remorse, he agreed with his political friends when they told him the incident would cost him the election, the story being circulated all over

the county that in his zeal for economy he had killed a Mexican.

John Garner had always been a great practical joker, but he was by no means the only one in Uvalde county. There were others, and they enjoyed themselves at his expense, after the quaint old custom on any frontier. The Mexican hadn't died, at all, but had made a remarkable recovery under the stimulating influence of the Garner brand of economical cure-all, but the truth didn't get out in time, and young John Nance Garner tasted the bitter ashes of defeat.

Many another ambitious man, suffering such a setback, has ended his career before he had really started it, but one licking was no more than a temporary disappointment to John Nance Garner. He liked public life and was determined to keep on. He looked about for other fields to conquer. One was at hand.

About this time an important event occurred. William Henry Crain had represented the old Seventh Congressional district, of Texas, since the Forty-Ninth Congress. In the Nineties this district included Uvalde county. It was said of Crain, who had been educated by the Jesuits, that he spoke the purest English of any man in the House of Representatives. He died in Washington in 1896, and young Judge Garner was elected a delegate to the convention at Corpus Christi that was called to nominate his successor.

It is characteristic of the fundamental instinct of the

The senior member of the firm busied himself at once with the task of carving out a Congressional district in which he believed he could be elected. To arrange this, he quickly saw, would not be easy. However, Providence helps those who help themselves. The 1900 census gave him his opportunity. This showed that the population of Texas had increased to such an extent that the state was entitled to more Representatives in Congress. Garner ran for a second term in the legislature, won again, and once more went up to Austin. He was now stripped for action.

By cultivating friendships, he succeeded in his second, and last term, in having himself appointed chairman of the redistricting committee of the House. As Chairman he redistricted the whole state. When the job was finished, and the report had been submitted, it was seen that among other new districts he had created one which included Uvalde county.

Then young John Nance Garner got out in the middle of the aisle, faced his fellows, and went straight to the point. He didn't try to conceal anything. He frankly told his colleagues that he wanted to go to Congress, and that *he had arranged it so that he could do so*. He hoped the House would stand by him.

Standing there in the aisle, his face flushed with eagerness, his boyish figure tense with anxiety, he took a sheet of paper from his pocket and drew upon it a map, marking off the proposed new Uvalde district,

which, he showed, stretched for more than four hundred miles along the Rio Grande, from Brownsville westward, a district containing twenty-two huge counties, some of them larger than some of the smaller states of the Union. All were sparsely populated.

The House listened, and was hypnotized by the young man's engaging candor. But it adjourned, without taking action.

## *Chapter Four..*

**J**OHN NANCE GARNER never in his life left anything to chance.

His mind is methodical. He is what is known as "long headed." Careful and prudent, when he has determined upon a plan of action he anticipates every possibility, and prepares himself in advance to be ready for anything that might occur.

When he had completed the redistricting of the state of Texas in such a way as to create a new Congressional district containing the county in which he lived, and had submitted his report, as chairman of the redistricting committee, he did not leave his political fate to the uncertainties of accident.

He had come to a crisis in his life. If he should lose the opportunity to create a Congressional district for himself he realized that he had nothing much to look

forward to politically but a few more years in the legislature.

Texas had a way of standing by her Representatives at Washington. She kept them in office for many years. Garner knew he had no hope of defeating one of them.

He had not attempted to deceive the legislature. He made no secret of the fact that he had deliberately looked out for himself. On what the House should do his future depended.

When the House adjourned, without taking action on the redistricting bill, he spent what was, perhaps, the most active night of his life, a night of practical politics, doubtless not unmixed with a little dash of the great national game of America. A good deal of poker was played in Texas, in those days, and members of the legislature could always be found in small, congenial groups. John Garner spent the night visiting around.

There were 131 members of the lower branch of the Texas legislature at that time. When morning came, and the House convened, young Garner had 81 of them pledged to him, and signed on the dotted line. His redistricting report was adopted. In his usual cool and methodical way he had left nothing to chance.

The characteristic Garner attributes, philosophy, principle, honesty, candor and friendliness, had got him farther than deceit and subterfuge could ever carry any man.

He had won the first big battle of his life, and he had won it cleanly.

A great many men have been elected to the American House of Representatives since 1789, but very few of them have had to create a Congressional district for themselves in order to be able to run for Congress.

There were many other ambitious men in that legislature, some of whom, like Garner, also wanted to go to Congress, and a few of them later on did so, but Garner was the only one of them who succeeded in doing it at the first election under the new redistricting of the state. In his own way John N. Garner is as great a natural-born vote-getter as was Theodore Roosevelt. He has an instinct for doing just the right thing, politically, and doing it at the right time. He has probably never committed a political blunder.

Having succeeded in creating a new Congressional district, the way to Washington lay open to him. Now that he had a district of his own, all he had to do was to win the Democratic nomination, and get elected. He must first rid himself of all opposition within his own party, and then defeat his Republican opponent.

He set about this task with characteristic energy and promptness. No grass grew beneath his feet as he gathered his wife and baby together in Austin, and started hot-foot back to the little five-room cottage in Uvalde. Back to the mesquite and chaparral!

A day or two later the Pearsall News contained the

following item, copied from the yellowing pages of that interesting journal:

"Hon. Jno. N. Garner, of Uvalde, announces for Congress, subject to the action of the Democratic party of this 15th. district. Mr. Garner is now representing us in the State Legislature, and is in favor for Congress with Frio County's Democratic Ex-Committee. If he is nominated he will make a strong fight for the seat in Congress."

Garner was not the only man in the new Fifteenth Texas district who had his heart set on going to Congress. There were several others. J. B. Dibrell, of Seguin, had been a State Senator for several years, and was recognized as being one of the strongest Democrats in the new district, where he had lived all his life. He belonged to a prominent and influential family. Garner had come from another part of the state only a short time before, was less well known, and was regarded by many as being too young.

Dibrell announced his candidacy in the same edition of the Pearsall News which contained the hardly startling information that the ambitious young lawyer from Uvalde had thrown his sombrero into the Congressional ring.

At the beginning everybody supposed that the talented Dibrell, an experienced campaigner, would win the nomination. Jim Wells, and Tom Wheeler, of Aransas Pass, also had much support, and were urged to get into the race, but the contest speedily narrowed

down to a fight between Garner and Dibrell, with the outlook none too rosy for the man who had invented the idea of creating the Fifteenth Texas district.

Certainly, "Jno. N. Garner" had his work cut out for him.

## *Chapter Five..*

JOHN NANCE GARNER'S first campaign for Congress, on which, if the American people had but known, hung the American Speakership, the future leadership of the Democratic party, and mayhap the Presidency of the United States, was a terrific battle.

He has emerged victorious from many hard-fought contests since then, in Texas, and in Washington, but none was like the initial struggle, a life and death grapple for political existence.

A few years had slipped by since the bride and groom had settled down, after the honeymoon, in their own modest home in Uvalde. Vines grew about the small cottage. Flowers, under Mrs. Garner's ministering care, filled the garden with color and fragrance. The

baby was five, and John Nance Garner was thirty-two years old. His health had come back, under the invigorating altitude of Uvalde county, and he was in gladiator trim. He needed to be.

A good many Republicans from the north had moved into the Fifteenth Texas district, even as early as 1902. There was a strong Republican vote. The people had gone in for the raising of citrus fruits and garden produce, and goats, and there was much complaint of tariff discrimination against these industries.

Garner, from the outset, had to combat the widespread opinion that Judge Dibrell was the only Democrat who could surely be counted upon to defeat the Republican nominee.

He covered the district from end to end, and when it is realized that it is some 400 miles long by approximately 200 miles wide, the magnitude of the task may be appreciated. His district was an empire in itself, containing, among other things, the celebrated King ranch, which is itself larger than the entire state of Rhode Island.

There were no hard-surface highways in those days in Texas. The "good roads" movement had not begun. The automobile was the novelty of the rich in a few northern cities.

Young John Nance Garner reached his constituency when he could by the railroad line that ran through the district, and when the railroad failed him, he got to

them by stage, by horse and buggy, and on horseback, across the sun-baked plains, all up the valley of the Rio Grande from Brownsville to Eagle Pass, covering twenty-two huge counties in all, each county as large as some of our smaller states.

Gentlemen "running" for Congress in urban districts, or even in the more densely populated rural states, have no conception of the hardships entailed in a political campaign under such conditions as confronted John Nance Garner during his early political career, before the advent of the automobile and good roads. Now the district can be covered over some of the finest roads in the world.

Where Garner went, frequently Dibrell went also. They staged a great number of old-fashioned joint debates, with probably a thousand or more people gathered in the small towns to hear them. Benches would be set up in the streets, and all business would be suspended while the battle went on. As one of the local newspapers expressed it, in the heat of the campaign, "there is blood and hair and the ground tore up."

The platform adopted by the Congressional convention, held at Laredo on August 27, 1902, the first political platform on which John Nance Garner ever stood, proposed a remedy for the trust evil. It declared for a tariff for revenue only with incidental protection, and for the livestock industry a protection equal to that

given to articles manufactured from livestock. It took a stand against imperialism, and declared for the irrigation of the Rio Grande valley. It denounced "both the doctrine of free raw material and Republican reciprocity."

Garner took the platform, at the convention, and made his first speech in what might be called the national field. He reached 'way outside of the Fifteenth Texas district, and attacked President Theodore Roosevelt on the grounds of insincerity in dealing with the trusts. He favored, he said, a law putting trust-made articles on the free list. He favored protection for raw materials equal to that of the manufactured article. He attacked the Republican policy in the Philippines.

It was not local—it was a national address, on a national theme. His vision, from the Rio Grande, embraced the entire republic.

It is significant that the first Garner platform endorsed the Panama Canal project, and favored "the most friendly and just relations with our sister Republic of Mexico."

Garner was the hero of the hour. So hot was the fight that in the midst of the primaries Judge Dibrell suddenly announced his withdrawal as a candidate. When the convention assembled, Garner was the sole hero. He was placed in nomination by Judge Stanley Welch, and the nomination was seconded by Judge

Ellis, of Uvalde. Garner was then nominated by acclamation.

Said the Clarksville *Times*, with pardonable pride:

"Score one more for old Red River county—another of her sons has landed with both feet. John Garner, now of Uvalde, has won the Democratic nomination for Congress in his district and the nomination is equivalent to election. We all knew John was going to do his home county credit, but he has got there even faster than we expected. He is the kind of man that will make himself known in Washington and leave his impress on the records. He will not only hold his own in the halls of Congress but will come mighty near holding high low jack and the game on the outside."

The Honey Grove *Signal*, bursting into a paean of praise for the Democratic nominee said:

"Mr. Garner is known affectionately in this part of the country as 'Chaparral Cock of the Frio,' and sometimes 'Chaparral Cock' is changed to 'Road Runner,' that being the local name of the bird. Mr. Garner is still supposed to have splinters in his feet that he got in Red River county."

Another Texas paper declared that Mr. Garner had won because he had shrewdly "borrowed a picture of Jeff McLemore, had it printed in all the papers in his district as his own, and then laid low until after the primaries had decided the matter."

There was a good deal of fun poked at John Nance Garner in these days because of his looks. During the campaign Garner showed up in Corpus Christi one day,

when he had been on the road a week without opportunity to shave.

He was talking to his old friend, Judge James B. Wells, when Pat Dunn, a big cattleman, joined them. Wells introduced them, and when Garner had left Dunn said:

"Who was that man?"

"Why," replied Wells, "that's Jack Garner, the candidate for Congress."

"Well," said Dunn, "he's the worst looking specimen of humanity I ever saw."

From all accounts, the Garner of thirty years ago gave little promise of the distinguished, gray-haired statesman into which he has since developed. Contemporary accounts of his first Congressional campaign in 1902 sparkle with broad references to his cowboy appearance, couched in the humorous exaggeration of the day.

But there was nothing to make folks laugh about the way John Nance Garner made that initial fight for Congress. When the Democratic nomination was his, he turned his attention to his Republican opponent.

This was John C. Scott, of Corpus Christi, member of a prominent and wealthy Democratic family.

E. H. R. Green, millionairess Hetty's well-known son, and Republican State Chairman, of Texas, financed the Republican campaign. There was a memorable joint debate between the two candidates at Floresville, on

September 6, from which Garner emerged the recognized winner.

Garner defeated Scott by a handsome majority. The Congressional district he had himself carved out by his own effort, was his at last—to have, and to hold!

He turned his face toward Washington, and the great arena of national statesmanship.

## *Chapter Six..*

THEODORE ROOSEVELT was in the saddle in Washington, in the autumn of 1903, when John Nance Garner, with his wife on one arm, and his baby on the other, headed for the National Capital to take his seat in the House of Representatives as a member of Congress.

Two things stirred the restless mind of T. R. He had negotiated a treaty of reciprocity with Cuba. He had gone nation-building in Central America, to create the new Republic of Panama in order that he might build a ship canal connecting the Atlantic and the Pacific. He had taught Mark Hanna to eat out of his hand, and his renomination for a second White House term seemed in his grasp. But he wanted to clinch it.

He called the national law-makers into extra session, and the Fifty-eighth Congress convened on Monday,

November 9, 1903. John Nance Garner, by this whim of Roosevelt's, thus took his seat in the House, for the first time, in his lucky month.

The Garners had landed in Washington at noon, on the preceding Saturday, and knowing that Senator Charles A. Culberson, senior Senator from Texas, and an intellectual power in the Senate, had lived at the old Normandie hotel, at Fifteenth and I Streets, Mr. Garner took his small family there. But even this modest hostelry was too expensive for his slender means.

A Congressman's pay was then only \$5,000 a year, and while the sum had seemed large in Texas, \$100 a week was inadequate to the strain of Washington hotel life to a man who had to depend largely on his official salary. So after getting his family settled, Mr. Garner tackled the strange city alone, in quest of a modest boarding house more in keeping with his slender means.

He walked a block to the north, and then turned east, not knowing where he was. It was a neighborhood of smart boarding houses. All looked too expensive.

Trudging along, surveying the houses with signs in the windows denoting that room and board might be found within, he fell in by accident with a fellow Texan, Representative George F. Burgess, who had been a member of the Fifty-seventh Congress, and knew all the Washington "ropes." Presently Burgess stopped to

speak to a member of the House they had encountered, and he introduced Garner to Representative Thomas S. Butler, of Pennsylvania. The boarding house case was briefly stated.

"Why," said Butler, "I'll take you to a place I can recommend, run by Mrs. Lillie B. Creel List, just down the street here. I used to live there myself, and still take my meals there."

Mrs. List's boarding house was at 1311 K Street, Northwest. It enjoyed an ideal down-town location, across the street from beautiful Franklin Park. The arrangements were concluded at once, the Garners moved in promptly, and this pleasant boarding house was their first Washington home. They remained there for three years, when Mrs. List gave up the place and left the city. The Garners then removed to the Burlington apartment, on Vermont Avenue, just south of Thomas Circle, and here they remained for thirteen years.

The opening of the special session of the Fifty-eighth Congress found John Nance Garner at the threshold of as remarkable a career as any man has carved out for himself in that body in half a century. The Republican party was overwhelmingly in power, had been for years, and seemed likely to be forever. The Texan found himself in the minority, under the leadership of John Sharp Williams, of Mississippi.

David B. Henderson, of Iowa, had retired as Speaker

at the close of the Fifty-seventh Congress, and an agreement of leaders had been reached prior to the meeting of the extra session, that Joseph G. Cannon should be elected as his successor. That's the way they fixed things up in those days. John Nance Garner, on his first momentous day, watched the elevation of "Uncle Joe" to the Speakership, but played as little a part in that historic performance as though he had still been a member of the Texas Legislature.

Little did he realize, as he took the obscure seat far back on the Democratic side that had been assigned to him, that the day was coming, not swiftly, but surely, when he would take part in a revolution against this same "Uncle Joe" that would shake the nation to its foundations, and topple the Republican party from power at both ends of Pennsylvania Avenue.

His first vote cast in the House was an empty gesture, a vote for John Sharp Williams as Speaker.

Everything that transpired interested him. There was a lottery of seats, in which he had not fared very well. The custom has since been abolished. The big fellows on the Republican side, who until now had been merely names to him, towered over him like Gulliver in Lilliput.

There, for one, was the mighty Sereno Payne, of New York, bossing things, as somebody described it, with the dynamic soubrettishness of a cynical elephant. There also was the masterful John Dalzell, of Pennsylvania,

who carried his head on one side, like a wounded pigeon. He was "Uncle Joe's" right-hand man on the powerful Rules Committee, and one of the recognized satraps of the House. James R. Mann, of Chicago, most adroit of Republican parliamentarians, shared attention with James A. Hemenway, of Indiana, head of the great Appropriations Committee. Then there were "Pete" Hepburn, of Iowa; Charles E. Littlefield, of Maine, a rapid-fire orator who hurled such a torrent of language when wound up that the stenographers were in a panic when he spoke; and Samuel W. McCall, of Massachusetts, the scholar of the House, who was to be the war governor of his State. William Alden Smith, of Michigan, who later on was to go to the Senate, sat near "Jim" Tawney, of Minnesota, one of Czar Cannon's most promising lieutenants, while huge Cy Sulloway, of New Hampshire, seven feet tall, and generally wearing carpet slippers because his feet hurt from carrying around so much weight, was the largest man in the House. Wesley Jones, of Washington, who some years later was to achieve fame as the author of the "5 and 10" law, and Henry Allen Cooper, of Wisconsin, in whom the seeds of insurgency were even then germinating, like something in a chemist's test tube, were two of the "progressive" element who were to be heard from.

As young John Nance Garner looked about him, on that first day, he realized that he was in the right place.

He had felt all along that he wanted to go to Congress. Now he was sure of it. These associates of his were big men. Eventually he would have to combat them, but first he must meet them, know them, learn all about them.

On his own Democratic side he found no less degree of talent. Close by him was Oscar W. Underwood, of Alabama, already a veteran of eight years' service, who was to become, in his turn, the leader of the Democratic party in the House. There was Joseph T. Robinson, of Arkansas, the present Democratic leader of the Senate. In the Georgia delegation was Thomas W. Hardwick, later Governor and Senator. Henry T. Rainey, who in the years to come was to be his own right-hand man, represented the Democrats of Illinois. The towering Ollie James, and the brilliant Swagar Sherley, stood out in the Kentucky delegation. Joseph E. Ransdell, afterwards Senator, was conspicuous among the men from Louisiana.

Champ Clark and David A. De Armond, both of Missouri, were such gifted orators in rough and tumble debate, that Republicans hunted cover when they rose to tear into things. New York sent William Sulzer, afterwards Governor; George B. McClellan, who was to resign a few days later to become Mayor of New York City; William R. Hearst, publisher of newspapers from coast to coast; and W. Bourke Cockran, the outstanding orator of his generation in the House of Represen-

To Garner Cuban reciprocity was contrary to the simple creed of the platform upon which he had been elected. That platform had specifically declared:

"We denounce both the doctrine of free raw material and Republican reciprocity as tending to a free trade West and South and a protected North and East, making unequal the burden of taxation and increasing the wealth of the two last named sections and decreasing the wealth of the first two named."

On that platform of the Fifteenth Congressional district of Texas John N. Garner boldly stood on the final roll call on Roosevelt's Cuban reciprocity. Representative Burgess, alone of the Lone Star Democrats, stood by him and voted against the bill. Later both had the satisfaction of seeing the Democratic Texas Senators oppose the measure in the Senate.

Garner's vote, in the face of endorsement of the measure by the Democratic caucus, required courage. But courage was precisely what he had in large quantities. His actions, instead of injuring him in the party, enhanced his standing. It was the first disclosure, at the very beginning of his career, that he held views of his own on the tariff. That was to aid him materially later on. His views on "Republican reciprocity" have not changed—but the idea of reciprocity, in his hands, has changed.

His first committee assignment on Railways and

Canals, unimportant though it was, played into his hands. He was interested in the subject of a coastal canal for Texas. He began studying all available engineer reports on this subject. He also saw Surgeon General Wyman and urged the adoption of sanitary measures to prevent a recurrence of yellow fever on the Texas-Mexican border.

But for the most part, in these political kindergarten days, he devoted himself entirely to the business of making friends, and in this he quickly exhibited a talent that amounted to downright genius. He was everywhere, in and out of the Capitol, getting acquainted, and doing it naturally. There was nothing forced about it. It was an instinct.

There was a famous poker club in town, known as the Boar's Head, a strictly private and exclusive institution. Here a group of solemn Senators, and a few old cronies of the House, like Uncle Joe Cannon, gathered nightly to spin yarns and enjoy each other's society over the card table. Most of them, in their reminiscences, were still fighting over the Civil War.

The fame which young Judge Garner, of Uvalde, had enjoyed as an expert authority on the great national game of America reached Washington. It was at the Boar's Head that the baby Congressman from Texas first met Speaker Cannon. Tradition has it that it cost Uncle Joe no small sum to meet him.

Those who think that friendships thus made are not

among the most enduring of earthly things do not know Washington, at any rate.

It was discovered that John Nance Garner was a thoroughly wholesome, open-hearted, good fellow, with a man's outlook on life and an *esprit* typically and fundamentally American. Everybody liked him, and wanted him around. On the nineteenth of December, less than two weeks after the regular session of the Fifty-eighth Congress had begun on December 6, the Washington correspondent of the *Houston Post* said in his paper:

"Congressman John N. Garner, of Uvalde, is the wonder and admiration of all the other members of the Texas delegation. He had not been in the Capital two weeks before he was acquainted with more members of the House and Senate and with public men generally than many members who have been here for years. Now he has met nearly all of them from the President to the clerks of committees, and can call each of them by his name when he meets them. He has met all of the public men who have been in the city, and is now engaged in getting acquainted with prominent men who visit Washington, but who do not stay long enough for many men to learn they have been here. Judge Gordon Russell says Mr. Garner's record in getting acquainted so rapidly is marvellous, and that he never saw anything like it in all his political experience."

Now and then the new Congressman introduced a bill. He wanted a public building at Eagle Pass, Texas. He wanted a survey of the channel of Aransas Pass.

He desired to enlarge the jurisdiction of the Court of Claims. Bills bearing on these three subjects were his sole contribution to the legislative "hopper" in his first session, and this at a time when most members were flooding the *Congressional Record* with their pet measures.

Not once did he rise in his place and make a speech. That was not his system. Where are the chatterboxes of the Fifty-eighth Congress? History records not their names.

The second session of his first Congress began on December 7, 1903, and on March 12, 1904, he reported from the committee on Railways and Canals his first bill, providing for a coastwise canal in Texas. It met the fate of most measures of the kind. The third session of this Congress began on December 5, 1904, and after a long summer recess at his home in Uvalde, he returned to the job.

February 25, 1905, was a proud day for young Garner. The question before the House was a resolution setting apart a day for appropriate exercises for the reception by Congress, for Statuary Hall, in the Capitol, of the statues of Sam Houston and Stephen F. Austin. Said Speaker Cannon:

"The gentleman from Texas, Mr. Garner, will please take the chair."

Proud moment, indeed—and a prophetic one. In the midst of applause the slim, boyish-looking Texan

mounted the rostrum, and for the first time in his life felt in his hand the gavel that more than a quarter of a century later he was to inherit, in his own right, from Clay, Colfax, Blaine, Crisp, Carlisle and Reed.

Earlier than this, in the same session, a Republican currency bill was under consideration. On January 5, 1905, Mr. Garner for the first time participated in the debate in the House. He asked some pertinent questions showing his knowledge of banking. It was only a brief exchange, but it increased his prestige in the House.

Garner was reelected with little opposition to the Fifty-ninth Congress. On February 13, 1906, he called up one of his bills, creating a new division of the western judicial district of Texas, and to provide for terms of court at Del Rio.

Sereno E. Payne, the Republican leader, suspected, and said so, that the ultimate object of the bill was to obtain a court house for Del Rio.

"The people in this district," replied Garner, "have to travel from 100 to 420 miles to get to court at the present time in the territory embraced in this bill. The bill would shorten this distance for them from 35 to 250 miles."

A short speech, but effective. Payne's piously expressed hope that the bill would not pass was unheeded by his own Republican colleagues. Garner had made a frank appeal. His first bill was passed.

A few days later he had a sharp collision with Speaker Cannon when he insisted that bills on the calendar should be considered in the order in which they had been reported. The Speaker finally agreed, and thereafter the bills were put through in their turn. It prevented the possibility of favoritism. A small point, but as an index to Garner's sense of fair play, a significant one.

Incidentally, shrewd old Sereno Payne had been right about that Del Rio court house—in the next Congress young Garner calmly put in a bill for one.

## *Chapter Eight..*

**I**N the early days of the partnership of "John Nance Garner and Wife," Mrs. Garner rarely, if ever, went to the Capitol.

She converted a room in the K Street boarding house into an office, and remained home, where she could attend to the steadily increasing correspondence of the rising young Congressman, and at the same time keep a motherly eye on Baby Tully.

In those far-off days the House Office Building had not been completed, and members of Congress usually carried their offices around under their hats. Space was so inadequate in the Capitol that members who could afford to do so rented private offices uptown. Generally the most prominent Representatives could be observed almost any time standing out in Statuary Hall, with an arm draped lovingly over the huge calf



Speaker Garner at the Capitol



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The Speaker's wife and secretary, Mrs. John Nance Garner

of Ethan Allen's white marble leg, the while they dictated their correspondence to their secretaries.

Mrs. Garner was always intending to give up her secretarial job, but she liked the work, the one child was very little trouble, and so she remained as stenographer to her husband so long that it gradually became virtually impossible for her to relinquish the job.

She had been with him, as secretary, from the old legislature days at Austin. She had typed every letter that had been written. She had the files at her finger tip. But, more than this, she was carrying in her head a tremendous mass of facts—names, dates, places, events, political friendships, political enmities—every thing going into the background of a man whose whole ambition in life, to reach the Speakership, if possible, but to make a name for himself at all events, rested in the last analysis upon his ability to keep his seat in the House of Representatives, from the Fifteenth Congressional district of Texas.

Mrs. Garner, before long, reached the point where she could not let go of her work without doing her husband's cause injury. The intricate things she knew in so many subtle ways could not be transferred to the mind of any other person. So she kept on as her husband's secretary, and still continued to keep on as his secretary after he was elevated to the Speakership. It is the most remarkable partnership political Washington has ever known, having endured now for more

than thirty years. The habits of a lifetime are inextricably bound up in it.

Does Mrs. Garner advise other women to become their husband's secretary?

Strangely enough, she answers this query emphatically in the negative, despite the fact that she loves the work, and her "boss." It is exacting work. The labor is great. She would advise no woman to do as she has done. Even now she would step aside, if she could, but she is too much a part of the whole Garner experience. The habit is strong upon her. So all day long her typewriter clicks away. Letters are opened, read and answered, a thousand details are attended to. She rises early, and nearly every day is at the Capitol an hour or more before her husband arrives there. In the evening, if they are to go out to a dinner, or he is to go alone, it is she who lays out his clothes, puts the studs in his shirt, ties his tie—wife, secretary, comrade, mother, all in one!

A remarkable friendship, that between the two Garner partners. It was at the beginning af the Fifty-ninth Congress, in December, 1905, that the foundation was laid for another friendship, which, with the passing of the years, became a Washington institution. At this time Mr. Garner was abruptly taken off the committee on Railways and Canals, and placed at the bottom of the Democratic side of the committee on Foreign Affairs.

Near the bottom of the Republican side of the committee he first met a young Republican member from the Cincinnati district of Ohio, Nicholas Longworth. The wealthy aristocrat—than whom there has probably never been a more democratic man in Congress—and the cowpuncher from the western plains of Texas, struck up a friendship that survived all political vicissitudes, through life. They became well-nigh inseparable, not only at the Capitol, but "out of doors," as they would say in the House of Commons. Nick and Jack! Bitter opponents politically, they fought each other tooth and nail. Neither, in the House, was ever known to yield the other a political advantage. Their parliamentary encounters are part of the traditions of the House. Uptown, of an evening, boon companions, at many a quiet little party.

Longworth had the entree into every exclusive home in America—Cincinnati, Washington, New York, Newport. Garner, while he, too, might have gone everywhere when he had become better known, rarely went any place. The Longworth home was one notable exception, but the company when the Garners visited there was generally small. There was probably nobody in the country whose political judgment was valued more by the natural-born politician from Texas, who had had the ingenuity, when he had wanted to come to Congress, to create a district for himself, than was the political judgment of Mrs. Nicholas Long-

worth, Theodore Roosevelt's singularly talented daughter. Her *salon* was for years the center of high politics, especially during the fight on the League of Nations, which she whole-heartedly opposed and did much to defeat.

All through the early stages of Garner's career, the friendship between Nick and Jack continued. It grew stronger with each passing year. It lasted to the day of Longworth's death. It is more than a Washington tradition. It is a political epic.

Washington marveled at this friendship, affecting to see something strange and unaccountable in it. But the explanation in fact was an exceedingly simple one. Though one was a Republican, born to wealth and the *Social Register*, and the other a Democrat, born to the hardships of a farm, both first of all were gentlemen, and each quickly recognized that fact.

Moreover, for all his western breeziness, John Nance Garner, like Nicholas Longworth, was descended from fine old Revolutionary and Colonial stock. His ancestors had helped to found the government which both served, side by side in Congress. Both were typical Americans.

Both were lovable and friendly men, warm-hearted, generous, and of a happy disposition. Both enjoyed good fellowship, a well-told story, a good practical joke.

On one occasion, when Garner was spending his

vacation on a fishing trip in Texas, Nick clipped from a newspaper a rather severe criticism of his friend, and rushed it to him by air-mail, with the explanation that he wanted him to enjoy himself thoroughly and have a good time. In the final analysis, both of these men were "square shooters." Doubtless there were more subtle things, buried deeply in the nature of each, which drew them together. As Mr. Wodehouse once sized up a similar friendship:

"Who can trace to its first beginnings the love of Damon for Pythias, or David for Jonathan, or Abercrombie for Fitch? Who can explain what it was about Park that first attracted Tilford? We simply say, 'These men are friends,' and leave it at that."

So it was with Nick and Jack. If Longworth had lived a few months longer, Garner would have fought him for the Speakership with all the energy, and political skill, and votes at his command, and Longworth would have fought back. And they would have remained friends through it all.

One of the most striking tributes ever offered by the House to one of its members was paid to Mr. Garner, upon the suggestion of Mr. Longworth. The scene which marked it was dramatic in the extreme. Mr. Garner had been ill, and for a time his life was dispaired of, but his rugged constitution stood him in good stead, and he returned to the House in better health than ever.

This was in the Sixty-eighth Congress, when Frederick H. Gillett, soon to go to the United States Senate, was the Speaker, and Mr. Longworth was the Republican Leader. On the closing day of the session, March 4, 1925, Mr. Longworth, who, in the following Congress was to become Speaker himself, took the floor, and bestowed warm praise upon the Democratic Leader, Mr. Finis J. Garret of Tennessee. He then turned to where Mr. Garner sat, and paid a high tribute to him, also.

Longworth's theme was party responsibility in government. In this address he summed up his political philosophy, especially in so far as the House of Representatives is concerned.

In view of the break-down of party government in the House, on both the Republican and the Democratic sides of the chamber, which occurred in March, 1932, during the first few months of Mr. Garner's Speakership in the Seventy-second Congress, when party lines were wiped out on the issue of the sales tax, and a coalition of Republicans and Democrats broke away from their respective leaders, Longworth's analysis of the need of party government, delivered seven years before, takes on an added significance. It was almost prophetic.

"The one thing, gentlemen, that has impressed itself upon me with major force as a result of my experience as majority leader," said Mr. Longworth, "is that this House can not

properly do its duty to the country under any other system except the party system. I have come to the inevitable conclusion that the European bloc system of administration of the affairs of Congress will not work in the House of Representatives. We must frame legislation by debate in the open; we must not legislate in Congress by whisperings across the aisle or by back-alley trading. I say that with a profound liking for the gentlemen who have represented that system in the present Congress. With regard to majority party government I will say with emphasis that I want to see in this House a strong Democratic Party, but not too strong [laughter and applause], and I want to see a strong Republican Party [applause], a party which is able and willing to take full responsibility for crystallization into legislation of the popular will."

After paying his tribute to Mr. Garret Mr. Longworth added:

"Then there is another great leader of Democracy. I speak of one who has been in the valley of the shadow, and nothing ever cheered me more than the sure knowledge that he is on his way to safe recovery. [Applause.] I am about to violate all precedents of this House, so far as I know, and I do not believe the Speaker will call me to order, when I ask you to give three cheers for JACK GARNER. Are you ready?" \*

As Mr. Longworth concluded, the entire House rose, and turning toward the modest Texan, whose face was crimson with surprise and feeling, the members burst into three hearty cheers. Mr. Longworth was probably

\* Cong. Record, 68th Cong. 2d Sess. P. 5535.

correct in saying that this incident violated all precedents of the House. It was unique. It showed the universal esteem in which Mr. Garner was held by all his associates, Republicans as well as Democrats. It also added to his national reputation. As Speaker Gillett said a few minutes later, in his last address, in which he bade farewell to the House after thirty-two years of service:

"This House becomes in time a pretty infallible judge of a Member's merit. It learns to appraise motives. It discriminates between the modest men who with sincerity are trying to render service and the men who are working only for display and self-advancement. And it is refreshing to note that although the home folks may often be deceived by the fake statesman who is always playing to the gallery, yet here the sincere and industrious and modest man has his recognition and his reward. I would deem the genuine esteem and respect and confidence of this body the highest tribute a man could earn." †

If as Speaker Gillett said the House is an infallible judge of the merits of its Members, so also is that part of the House which is comprised within the party caucus. In the caucus a certain restraint is thrown aside. Here all members are of one political family. They can, perhaps, speak their minds more freely of one another than they can in the House.

Four years after Nicholas Longworth had paid his

† Cong. Record, 68th Cong. 2d Sess. P. 5536.

tribute to the man who was destined to be his successor in the Speaker's chair, the high esteem in which John N. Garner was held in his own party was disclosed at a Democratic caucus, toward the close of the second session of the Seventieth Congress, held in the chamber of the House, on March 1, 1929. Representative Hatton W. Sumners, of Texas, placed Mr. Garner in nomination for the office of Speaker of the House, and the leader of his party, in the Seventy-first Congress.

"We are assembled," said Mr. Sumners, "to transact the serious business of a great party, at a time when thoughtful members of the party know that there is involved in our situation and circumstances the question whether we shall remain one of the two major parties or shall go into dissolution while another party comes into the field in our stead. That determination is going to depend in no small degree upon the vigor and efficiency of our leadership during the next two years, and the solidarity of the Democratic minority in the House.

"Governments are not accidents. They are provided for in the big economy. They operate under natural laws. Viewed in the larger aspects, they select the human agencies through which they function. Selection or rejection of political parties depends in substantial degree, at least, upon the efficiency with which they serve the public interest.

"Whether the Democratic party shall live, and come again to power, depends upon whether in this time of as great need as this Nation ever had, it can, and will, respond with a vigilant, aggressive, courageous party organization, following in solidarity a wise and effective leadership, in the protection of

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the rights and opportunities of the average man, and the protection of private interests themselves, against the inevitable consequences of the abusive exercise of the power, financial and political, of great groups which now dominate in this country.

"With a rapidity unequaled in the economic and governmental history of the world, we are moving toward those conditions and positions from which heretofore those who have so moved, without exception, have been driven back in disastrous retreat.

"Only the foolish person, untaught by the lesson of the past, is not asking himself now, if we can preserve a democracy in government, if we destroy democracy in opportunity, who is not asking himself if a feudalism in business and in industry will not bring to us results comparable to those which in the history of our ancestors were incident to the establishment of feudalism in land tenures. The rapidity with which the free yeomen of industry and of business are being driven out and subjugated by the invasion of great organizations, as alien to our institutions as would be an invading host from a foreign land, can not fail to arrest the apprehensive attention of all thoughtful people. The average man must have a champion, will have a champion. It will be either the Democratic Party, conservatively progressive, which, while protecting the legitimate right of property, will hold pride, greed, and thirst for power within bounds safe for the opportunity and the economic liberty of the people, or the people goaded to desperation will rise in economic revolution and under mob political leadership will seize upon the powers of government and with these powers will smash the vaults of special interest and sweep on far beyond, leaving chaos in their wake. The new school of economic philosophy, under the teachings of which it is urged that political support be

denied to the Democratic Party, which stands in the middle position, will not be able to protect those whom it is guiding to their own destruction, when the inevitable reaction comes. The Democratic Party is not an enemy of the legitimate aspiration of private interest. It would protect them against their own folly. At such a time, in such a situation, where the Nation's interests and the economic peace and security of the people challenge the Democratic Party to the greatest possible solidarity, and to produce its wisest leadership, we, the Democratic Members of this House come to the selection of our own leader, upon whose leadership, and upon the wisdom of the counsel and cooperation and loyalty together of those whom he is to lead, will depend in great degree not only the fate of the party, but in my judgment the happiness and the economic independence of the people and the political peace of the country.

"This situation requires a leader of aggression, trained to his duties, of clear judgment, one who can inspire the respect, and in action, hold the confidence and support of those whom he leads; a man who is the master of political strategy and whose love for his country and service to his party links the weal of his country with the fortunes of his party. Such a man the Texas delegation presents to the Democrats of the House in the person of Hon. JOHN N. GARNER, of demonstrated ability, who in full measure, meets the challenge of the situation." \*

This ability of Garner to "hold the confidence and support" of his associates was strikingly exemplified during the World War, when, for the first time, he became a major figure in the House of Representatives,

\* Cong. Record, 70th Cong. 2d Sess. P. 5179.

strong, capable and dependable. His capacity for friendship, and his extraordinary talent for refraining from being drawn into the storm-center of the animosities of mutual friends, enabled him to play an important, and highly confidential, part in the war.

Where Garner and Longworth were headed in their early Congressional days, when both, starting from scratch, only knew that they were on their way, neither could foresee. That both would reach the Speakership was doubtless beyond the psychic powers of either to foretell.

Garner had prospered in his Uvalde law business, and had become a successful banker, and small farmer. He had a talent for achievement in anything. In the Sixtieth Congress he introduced a bill of his own providing for an elastic currency. This showed the banking influence. He understood finance from experience.

Early in 1909 the House was thrown into a furore of excitement by a clause in Mr. Roosevelt's annual message in consequence of which it was claimed that the President had committed a breach of the privileges of the House. This was contained in a criticism of the House for its failure to make certain appropriations for the Secret Service, the President asserting, in effect, that a chief argument against so doing was that the Congressmen did not themselves wish to be investigated by Secret Service men. It was held to be to all

intents and purposes, a charge that the House had acted to shield criminals and to shield themselves.

There was a wave of indignation, and President Roosevelt was bitterly scored by members of his own party as well as by Democrats. By the non-partisan vote of 212 to 36 the offensive language was "laid on the table," which was a humiliating parliamentary slap in the face. Garner was one of those who thus voted against the distinguished father-in-law of his bosom friend, Nick Longworth. His friendships have always survived such incidents, in Texas, as well as in Washington. He is that sort.

So far as Texas was concerned, the young Congressman, with his feet fairly well familiar with the Washington ladder, played his political game with consummate skill. Each election he had an opponent, but, remarkably enough, never the same opponent twice. Those who tried to get his Congress seat away from him and failed, became his friend and his supporter the next time.

No campaign he ever fought—and he has fought some hard ones—ever left behind it any bitterness. He even became great friends with E. H. R. Green, who had financed the campaign of his opponent in his first fight to go to Congress. Green used to beat him, in the after days, playing billiards, but he never could beat Jack Garner playing politics. After a while he gave up trying.

It was soon observed in the Uvalde district, that though a part of it was strongly Republican, and increasingly so in more recent years, John Nance Garner always got from 2,000 to 5,000 Republican votes. Garner was always fair, and this fact began to sink in. He appointed Republican boys as well as Democratic boys to West Point and Annapolis, never letting partisan politics interfere with obtaining the best material his district offered for the Army and Navy. When possible he gave the appointments to the sons of poor widows, and usually he had to dig down into his own pocket to help them pay their expenses to go north to take their examinations.

Still, although he soon found himself, by industry and prudence, in comfortable circumstances, he was never, in the accepted sense, a rich man, and is not a rich man today.

## *Chapter Nine..*

JOHN NANCE GARNER, in his early days in the House of Representatives, felt crushed and smothered. And no wonder!

The most ruthless political oligarchy that had ever appeared in America ruled it with an iron fist.

At the head of this organized despotism stood Joseph G. Cannon, of Illinois, the Speaker. The rules by which he governed like a Czar had been perfected by Thomas B. Reed. The machine which he dominated was small. It was the perfect close corporation.

The heart of this machine was the Committee on Rules, of which the Speaker himself was the chairman, and whose members he appointed.

In fact, the Speaker named all the committees, and appointed their chairmen, and moreover, he used the power of "recognition" in a way that enabled him to

dominate the House, by ignoring, in a legislative way, those who were outside the pale.

There were rumblings against this autocracy in the Fifty-eighth Congress, but they were faint. Storm clouds grew darker in the Fifty-ninth Congress, where men like Garner, of Texas, of the minority party, had little or no voice in the making of important laws. The Speaker and a handful of Republican leaders determined which bills should be passed, and which should not be passed. From this political tyranny there could be no redress save through force.

As was natural, the Democrats, Garner among them, were sullen and resentful. On the Republican side an insurgent movement began, at first so puny that it was laughed at by the bosses.

President Taft called the Sixty-first Congress in extraordinary session, and it met on March 15, 1909, for the purpose of enacting a new tariff law. Mr. Taft, singularly lacking in clairvoyance, did not perceive that this law, plus insurgency, were to spell his political doom.

There was one man on the Democratic side of that House who was an orator, a statesman, a parliamentarian of exceptional skill and learning, and a grim fighter.

This was the Democratic leader, Champ Clark, of Missouri. The lieutenants trained in democratic government by him are today the leading spirits of the

House of Representatives under a new and wholesome regime.

On the opening day of the extra session, Champ Clark arose in his place and offered an amendment to the rules, removing the Speaker from the chairmanship of the Rules Committee, and transferring from the Speaker to the House itself the power to appoint this committee. It also increased the membership of the committee from the five to fifteen members. It was the first attempt to break down "Cannonism." From the point of view of the ruling oligarchy, it was as deadly as dynamite.

John Nance Garner, a devoted follower of Champ Clark, voted with his leader. The motion was lost, the supporters mustering but 180 votes against the 203 commanded by the oligarchy. Of the 180, only 166 were of Champ Clark's own party. Fourteen insurgents boldly braved "Uncle Joe" Cannon to his face, and suffered for it, by loss of place and influence in the House.

In the midst of the debate Mr. Garner, of Texas, arose, and asked a pertinent question.

In reply Champ Clark said that the liberals of the House had entered upon a great battle.

"We had to fight the power of the machine in this House," said he, "and nobody appreciates the power of the machine more than I do. We had to fight the influence of the President of the United States, new in

office, with the pap undistributed, and lots of hungry people. In addition to that the entire force of the Cabinet was enlisted against us. In addition to that the 'regular' Senators were enlisted against us, and whether they have drafted the Supreme Court or not I do not know."

A few Democrats did not stand with Clark in this first fight for the enfranchisement of the House of Representatives, but Garner stood with Clark, then and thereafter.

On July 31, 1909, the House finally voted to agree to the conference report on the Payne-Aldrich tariff bill, which passed, on this, the final and decisive ballot, by the narrow margin of 195 to 183. Here again John Nance Garner followed his great leader, Champ Clark, and voted against the bill, which finally became law, by the President's signature, August 5. It was William Howard Taft's political death warrant. But it was a good omen for Garner.

In the following session of the same Congress, Garner took part in the most momentous political revolution in the history of the United States, in which he fought shoulder to shoulder with the leader of his party.

The second revolt against "Cannonism" occurred on March 16, 1910. A parliamentary reform known as "Calendar Wednesday" had previously been adopted, to permit members to obtain action on bills which the

oligarchy had hitherto smothered in committee. On this historic date Speaker Cannon sought to override this "Calendar Wednesday," there was an appeal from the decision of the chair, and Cannon was overruled.

The following day this advantage was followed up by George W. Norris, now the progressive Senator from Nebraska, who offered a resolution proposing to abolish the committee on Rules, of five members, and substitute an elective committee of fifteen, which should select its own chairman, and of which the Speaker should not be a member. It was practically identical with Champ Clark's proposal which had been made a year before.

Garner threw himself into this fight at the side of Champ Clark. The battle was the most memorable in the annals of Congress. Cannonism was dethroned, and for the first time since the establishment of the government, by this and subsequent reforms, the Speaker was stripped of his arbitrary powers, was removed from the Rules committee, was deprived of the right to name the committees, and the ruling power in the House was restored to the membership of the House, where it still reposes.

Although this is commonly referred to as an Insurgent victory, the groundwork for the revolutionary reform was laid by Champ Clark, of Missouri, and was made possible only in consequence of the loyal support of Democrats like John N. Garner, and progressive

Republicans of the stamp of Norris, of Nebraska. They fought shoulder to shoulder, but without the whole body of Democratic votes the handful of Insurgent Republicans would have been powerless.

It was inevitable that a man of John Nance Garner's natural aptitude for parliamentary strife, and of his innate sense of justice and fairness, should have been profoundly influenced by this progressive movement in the House of Representatives.

It did influence him in many ways. He became, for one thing, a student of and a recognized authority on the rules of the House. It was, and is, necessary for a member to know these rules in order to obtain his rights as the representative of a constituency, and secondly, to become a force in the House. Garner, from the outset, nursed the ambition to become a power in the body of which he was a member.

Fighting such a brave fight under such an inspiring leader as Champ Clark, the Texan became impregnated with the spirit of liberalism. And at the same time he gained an intimate knowledge of the machinery by which so vast a body as the House of Representatives is necessarily governed.

Garner emerged from this contest, which extended over a considerable period before all the reforms were finally accomplished, one of the most astute parliamentary leaders in the House, master of the rules and precedents, which are bewildering in their immense

volume, having come down, as they have, from the First Congress, in 1789.

Although the Republican party lost the House in the following elections, President Taft called the Sixty-second Congress in extra session on April 4, 1911, to consider Canadian reciprocity, and Garner had the great satisfaction of helping with his vote to elevate Champ Clark to the Speakership.

Ten days later he voted with Clark in favor of the law providing publicity for campaign expenditures.

Garner followed the leadership of Clark so closely that he also voted for the reciprocity bill, although originally his district had been against the principle of reciprocity. Speaker Clark himself on this roll call took the floor and asked that his name be called that he might vote for it himself, an unusual thing for a Speaker to do, except to break a tie.

By this time John Nance Garner was recognized as one of the outstanding younger leaders on the Democratic side of the House.

His spurs had been won.

It would not be long before he received them.

## *Chapter Ten . .*

**W**HEN the Democratic party came back into power in the House of Representatives in 1911, under Champ Clark's brilliant and patriotic leadership, it had been wandering in the outer darkness for sixteen years.

No Democratic Speaker had presided over the House since the close of the Speakership of Charles F. Crisp, of Georgia, in 1895.

With the exception of a few of the "elder statesmen" like Clark, the great body of Democrats in the House had enjoyed absolutely no parliamentary experience under Democratic rule. Clark had served under Crisp. He had preserved in his own soul the Democratic tradition, and the historic Democratic fighting spirit.

Many of the Democrats who had fought with him against "Cannonism" before very long left the House, and eventually went to the Senate. Among them were such men as Ollie James, of Kentucky; Broussard, of Louisiana; Hardwick, of Georgia; Hitchcock, of Nebraska; Hughes, of New Jersey; Sheppard, of Texas; Stanley, of Kentucky; Underwood, of Alabama, and Joseph T. Robinson, of Arkansas, the present Democratic leader of the Senate.

The promotion of these men left big gaps in the Democratic ranks. Champ Clark was obliged to train up a new generation of lieutenants, who would be capable of becoming the leaders of the future. He had his eye on all likely material. John Nance Garner had long been under his observation.

Garner by this time had spent eight or nine years in the House. He had demonstrated, for the one most essential thing, that he had the confidence of the people of his own district, and might be relied upon to return to Congress every two years indefinitely. This sort of stability in a Representative is indispensable to a career of leadership.

Champ Clark had also observed that Garner was an economist in words. He had been four terms in the House, and hadn't made a speech yet. Never once had he taken the floor, and soared off on a flight of rhetorical fancy.

Champ Clark was himself both an accomplished

orator and a practical statesman. But he knew the futility of mere language.

Garner spent most of his time in his seat, watching the progress of legislation, and not on his feet making futile addresses. Few speeches have ever changed a vote in Congress. Now and then he arose to ask a question, to contradict an erroneous statement. At times he would challenge James R. Mann, then the real Republican leader in the House, and by all odds the shrewdest and most adroit parliamentarian on that side. Clark saw that Garner had acquired a valuable grasp of the rules of the House, a very rare accomplishment. He began to use him more and more, to depend upon him, to lean on him.

Clark appointed him a member of the conference committee on the Diplomatic and Consular bill on February 21, 1913, and this was the first assignment of this kind he had had. Many times in this session Clark called the Texan to the chair, to preside in his absence. He invariably acquitted himself well.

With the beginning of the Sixty-third Congress, which met in extra session in April, 1913, shortly after the beginning of the first term of President Woodrow Wilson, Mr. Garner obtained the recognition in the House for which he had worked so hard.

Committees were now elected by the House, which meant that Democratic members of committees were

chosen by the party caucus. Oscar W. Underwood in this manner became Chairman of Ways and Means, the most powerful and important committee in the House, and also the Floor Leader. Garner was given a coveted place on Ways and Means. It was the greatest forward step he had made in his Congressional career. He won the place by merit. He had been tried and was trusted, by the leaders, and by the House.

It is, again, characteristic of the man that he turned down an important chairmanship, on a committee which in the minds of most men ranks high, in order to gain a place of inferior rank, well down on the Democratic side of the committee on Ways and Means, the place upon which his heart had been set almost from the day he had entered Congress.

Places on Ways and Means were coveted by many ambitious Democratic members of the House, all of whom had some elements of strength. As is usual, in the making up of committees, there were many spirited contests for the vacancies, many more applicants than available places. Much trading went on, support here, for support promised there; the customary amount of what is called "log-rolling," or, less elegantly, but even more picturesquely, "you scratch my back, and I'll scratch yours."

John Nance Garner saw what was going on, and instead of being discouraged, he was stimulated to in-

creased activity, renewed determination to reach his goal. He put up such a fight that finally it was said to him upon authority:

"Give up this effort to go on Ways and Means, and you can have the chairmanship of the committee on Foreign Affairs."

John Nance Garner's reply is worthy of preservation for all time, as a guide to all men when tempted to depart from the pathway they have laid out for themselves through life:

"I don't want the chairmanship of Foreign Affairs—I am going to a place where I can make a chairmanship for myself! I want to deal with domestic affairs affecting the American people, and not with foreign affairs."

The group of leaders who were busily engaged in slatemaking were aghast at such determination on the part of Garner. They had thought to sidetrack him with a chairmanship, among the prerogatives of which would be one of the most beautiful committee rooms in the Capitol, a high-salaried clerk, which meant so much more patronage, and, for the man who held that chairmanship, a recognized social position in the smart official life of Washington.

A chairman of the Foreign Affairs committee, if he chooses, can be a high-stepper in the diplomatic set. He can attend all the banquets and dinners, and swanky afternoon teas galore are within his grasp. He is a

figure of some consequence at exclusive White House affairs. He has the pleasure of having Ambassadors and Ministers of foreign governments use his ear for a speaking trumpet, filling him up with all sorts of propaganda.

John Nance Garner was determined that his career in the House should be along the constructive lines of finance. He knew that a place on Ways and Means would lead him to where he wanted to go, and that the chairmanship of Foreign Affairs would force him into channels where he had no desire to go.

The fact is that Garner was not then, had not been before, and has not been since, unduly interested in foreign affairs. His whole heart and soul are bound up in the problems of plain, ordinary, everyday American people, exploited by outrageously high Republican tariffs and victimized by unfair tax laws. So Garner said:

"I am going to a place where I can make a chairmanship for myself."

How he made those words come true is not only a part of his own life's story, but a part of the history of the House of Representatives.

## *Chapter Eleven . .*

**W**HEN the effort to divert John Nance Garner into the chairmanship of the committee on Foreign Affairs had failed, the issue was thrown into the Democratic caucus.

Garner emerged from this grand council of his party with more votes for a place on Ways and Means than were received by any other candidate. He now turned his attention toward carrying out a definite platform pledge, upon which his party had been returned to power in Executive and Legislative branches, the revision of the tariff.

Mr. Garner's whole effort to go upon Ways and Means had been with this in view. He had a natural talent for tariff making, and he had a Texas constituency interested in seeing to it that the tariff was made national, and not sectional in scope, as had been the case with previous Republican tariffs.

He played a conspicuous part, in committee, in framing the Underwood-Simmons tariff law, which in due season superseded the Payne-Aldrich law which had contributed so largely to Mr. Taft's failure to succeed himself in the White House, and to the election of Woodrow Wilson as President.

Under the new system of organization in the House, under the Democratic formula which had supplanted the despotism of the Reed and Cannon regimes, Oscar W. Underwood of Alabama, was not only chairman of Ways and Means, but the Floor Leader, and the Ways and Means committee was not merely the fiscal committee of the House, charged with responsibility for all bills to raise revenue, but it was the policy committee of the Democratic majority, charged with responsibility for all party programs in the House. Thus Garner, as a member of that committee, functioned in a dual role. It gave him a magnificent training in leadership.

So perfectly was the work of the committee done in framing the Underwood bill, so smoothly did the party function under the able direction of Speaker Champ Clark, that the Underwood Act was put upon its final passage in the House without a "gag" rule to aid the leaders. It was the first time in the history of the House that a tariff bill had been enacted without a "gag" since the Republican party had introduced the custom of passing such measures under drastic rules

limiting debate and the right of amendment, thus rendering minorities impotent.

An amusing exchange of pleasantries occurred while the tariff bill was under discussion in 1913, which revealed Garner's sense of humor, and his ability to take—and give—a joke.

Now, there are lots of goats in the Fifteenth Texas district, and Garner has looked after the mohair industry with a jealous eye. It means a lot to his people. So, when the Underwood bill was seen to contain a few kind thoughts for goats, J. Hampton Moore, now the Mayor of Philadelphia, but who was then in the House, rose to his feet one day and convulsed everybody by reading a little poem, which went like this, and was entitled "Garner's Goat of Texas":

"Of all the creatures in the land,  
Of pedigrees supremely grand,  
There's none that does respect command  
Like Garner's goat of Texas.

"So, while you kick the wool off sheep  
And beef and mutton make so cheap,  
Protective tariff now will keep  
The Garner goat, of Texas.

"Oh, wondrous breed of Lone Star State!  
Premier in wool and hair, thy rate  
Of ten per cent is truly great—  
Thou Garner goat, of Texas."

The laugh was on Garner. It was generally admitted that Hampie Moore's literary effort was the best poem on goats which had delighted the sensitive ear of the House of Representatives since that day, many years before, when Private John Allen, of Mississippi, under somewhat similar circumstances had burst into song:

"Mary had a little lamb,  
Its fleece was white as snow;  
It followed her to Pittsburg, one day,  
And look at the damn thing now."

Garner didn't care how much the House might laugh at that 10 per cent duty on mohair. But they couldn't laugh at the goat of Texas. He went into a corner, chewed the end off of a couple of lead pencils, and, a little later in the debate, he turned to Hampie Moore, and neatly turned the laugh when he read a poem which he had composed for the occasion:

"Hampie Moore is a heluva poet—  
He don't know a sheep from a goat."

Life in Congress is not all seriousness. The man who can give and take a pleasantry goes farther than one who has no sense of humor. Nothing amuses Garner to this day more than a recitation of J. Hampton Moore's doggerel.

Finally Garner had the satisfaction of voting for the

completed Underwood Act, which, with the addition of the name of Senator Simmons, of North Carolina, eventually became the law, by President Wilson's signature. Thus was this party pledge fulfilled.

During the next session Garner frequently presided over the House, obtaining a most valuable knowledge of the machinery of government of that large and unwieldy body. He also acquired a helpful psychological insight into the minds of his colleagues. He came, in the end, to know the House better, perhaps, than any other man in it, on the Democratic side. While he did not deliver any set speeches, none whatever, he participated often in debate, covering the whole field of legislative and governmental activity. A few sentences at a time, crisp and to the point.

When the fateful time came, and America was plunged into the World War on the side of the Allies, he was one of the best equipped men on either side of the House, a tower of strength to Speaker Clark. In the War Congress he was a leader.

He voted for the National Defense Act of March 23, 1916. About a year later, on March 1, 1917, when the war clouds were gathering swiftly, he voted to furnish arms to American merchant vessels for defensive purposes. Then came the President's message, setting forth the various acts of aggression on the part of Germany. He voted for the war resolution, which took America into the conflict overseas.

Champ Clark had been deprived of the Democratic nomination for President at the Baltimore convention in 1912, although he had had a majority of the votes. The two-thirds rule ultimately defeated him. Between him and President Wilson there was a coolness perfectly understandable under the circumstances. Wilson's relations with Claude Kitchen, of North Carolina, then chairman of Ways and Means, were no more cordial. They were, indeed, hostile.

During the long days of the costly war, President Wilson called repeatedly upon Garner for advice and assistance. This was on the suggestion of Postmaster-General Burleson, a fellow Texan, who had served with him in the House, and knew his man. The relationship of Wilson and Garner in this period was exceedingly confidential. There were times when Garner saw the President at the White House every day, when he was one of the few men, of either party, who did see him. What transpired at these conferences is Garner's secret and will go to the grave with him.

It is certainly no betrayal of a confidence, however, to say that through the medium of these conferences, the President and the House of Representatives were enabled to function together for the single purpose of winning the war.

This delicate and intimate relationship was possible because of Garner's talent for making and keeping

friends, and for keeping out of quarrels between mutual friends. His close contacts with President Wilson did not cost him the friendship of Champ Clark. Garner's closest friends declare that one of the most noticeable of all his characteristics is his complete aloofness from the quarrels of others. He has never been drawn into them.

With his party, he supported the President in all the war measures. As a member of the Ways and Means committee he played a conspicuous part in financing the war, in raising the thousands of millions of dollars necessary for the armed forces of the country.

By these war days he had advanced on Ways and Means until he was fifth from the top, having climbed from near the bottom. When the Republicans returned to power in the House, in 1919, he remained on the committee, and rendered valuable service to his party, and to the country, by the ceaseless fight he made, at every step, to keep the new Republican tariff bill within bounds.

The day that bill was completed Chairman Fordney, of the committee, whose name it was to bear, said to him: "Jack, your picture is on every page of this bill."

Garner's efforts had been to keep the rates down, to safeguard the interests of as large a part of the masses of the people as possible.

His Republican opponent thus bore witness to the measure of his success.

## *Chapter Twelve*

**T**ARIFF and Taxation—the financing of the government.

These are the public questions in which John N. Garner has been interested, above all others.

He has never permitted his mind to be diverted long from these subjects. Never have they been of more importance to the American people than they are today.

Few men in public life comprehend them.

A close student of finance, Garner deliberately shaped his career in the House in such directions that his tastes and talents could have full play.

As a result the American people have profited enormously, especially average people in the ordinary walks of life. He has been their champion for more than a quarter of a century.

Born a poor boy on a farm, his youth was spent in

hard work. When he began the practice of law in Uvalde county, Texas, he dwelt among plain people, living on the soil, and in daily struggle with Nature in one of her cruellest moods.

His Congressional district, when he first went to Congress, although larger than the state of Virginia, supported a population of only 160,244 persons, who lived in isolated settlements, big and small ranches, and little towns, weather-beaten, unpainted towns, scattered over a vast area.

Travel from one settlement to another was full of hardship and adventure. The population has since increased to 370,877. Prosperity has come to this part of Texas—a prosperity that has been tempered by the existing economic depression—but the people have never forgotten the bitter struggles of their early days.

A man reared in such an environment comes to have, like Lincoln, a gentle feeling for folks in the humbler stations of life. John N. Garner was tremendously influenced throughout his Congressional career by an innate sympathy for the “under dog.”

His interest in taxation as a major problem of government was not in seeing how the rich man and the powerful corporation could be relieved of their just share of the cost of government, but in seeing that the poor man was relieved of his burdens in every way possible.

During the World War, when America was lavishing

her wealth upon Europe in such a golden stream as even Midas never dreamed of, nearly everyone lost sight of the all-important question as to whether the American people were ever going to get back what they so generously poured into the coffers of the allied governments.

Garner kept this thought in mind, and one day at a hearing before the Ways and Means committee, when William G. McAdoo was testifying, he asked President Wilson's Secretary of the Treasury if the United States would get those loans back.

Secretary McAdoo replied that the United States would be repaid.

That reply was fixed in Garner's mind, although he expressed considerable doubt about it. So far as Garner was concerned, Mr. McAdoo was on record as to his understanding.

Many years later, when Garner had become Speaker of the House of Representatives, the body over which he presided passed an act, at President Hoover's request granting a moratorium to the European debtor nations for one year. But the House added a clause making it clear to Europe that the American people had loaned, not given, that wealth to Europe, and that the war debts would not be cancelled.

It was under Speaker Garner's leadership that this firm declaration was made a part of the moratorium. It may yet be the means of saving to the hard-pressed

A good many needed reforms were accomplished, and in 1928 Garner had some more teeth added. The committee was empowered to review all income tax refunds in excess of \$75,000. As a result of this, it advocated numerous reforms, many of which have been adopted. The committee serves as a watchdog over refunds to tax-payers from the Federal Treasury. Garner, naturally, was a member.

A determined effort to defeat Garner for reelection to Congress was launched. The campaign against him in 1928 was obviously financed from outside the state of Texas. Whether it was the so-called American Tax-payers League that tried to beat him is now beside the question.

Charges of election irregularities were made against Garner, and a House elections committee went to Texas to make an investigation. While the committee was sitting at McAllen, Representative Carl R. Chindblom, of Illinois, a Republican member of the committee, had this to say of John N. Garner:

"I am a member of the Ways and Means committee. I sit on the Republican side of this committee, and Mr. Garner sits on the Democratic side. I wish to state here that if this investigation committee should find the slightest evidence reflecting on Mr. Garner, the entire House of Representatives would be the most astounded body in the world."

As a matter of fact the charges, which had been made against Mr. Garner by Sid Hardin, of Mission, Texas,

his opponent in the Democratic primaries, fell flat when Mr. Hardin admitted he had no direct evidence. The charges were withdrawn.

Garner said he would resign if any evidence of irregularities could be produced against him. None was produced. Meanwhile Garner was being deluged with telegrams and letters from all over the country, from Republicans and Democrats alike, all proclaiming the faith and confidence that was felt in him.

In a way, it made the Fifteenth Texas district realize that it was represented in Washington by an outstanding national figure, with hosts of friends in every part of the Union. The whole allegation against him collapsed.

On March 14, 1930, in the House, Mr. Garner turned his main and auxiliary batteries upon that supposedly impregnable being, Andrew W. Mellon, barricaded in the Treasury Department behind the breastworks of a reputation that placed him on an intellectual plane with Alexander Hamilton.

For years the Texan had been hammering away at the Republican policy that centered in the Treasury. Mr. Mellon seemed utterly invulnerable to criticism. He had become the great American myth. The very thought of challenging Andrew W. Mellon was sacrilege. The average person at that time would no more have dreamed of doing it than a beginner in the kindergarten, learning his numbers with blocks, would have

conceived the idea of challenging Euclid. If Andrew W. Mellon had announced, in an official statement some day, that two times three equalled nine, the White House would have issued an Executive Order changing the multiplication table. Mr. Garner exploded the Mellon myth. Mr. Mellon is no longer the Secretary of the Treasury. He retired from that post, under fire, while impeachment charges were pending against him in the House of Representatives, to become the American Ambassador at the Court of St. James. Mr. Garner did not prefer these charges. Another did that. While it is impossible to say that the impeachment proceedings initiated against him ever would have reached the stage of his formal impeachment by the House of Representatives, certainly it can be said that when he finally did leave the Treasury all of the glamour was gone.

On March 14, 1930, Mr. Garner explained to the House some of the results of the investigation of the joint committee of the two Houses on Internal Revenue Taxation having to do with tax refunds.\* He gave the House some startling figures as to tax refunds that had been made by the Treasury Department. He presented a number of carefully prepared tables showing the exact amount of the refunds, credits and abatements, that had been made to a long list of corporations, including the United States Steel Corporation and a great many more of the best-known business organ-

\* Cong. Record, 71st Cong. 2d Sess. P. 5546.

izations in the country. After presenting these facts he said:

"But I want to call attention to some of these particular things and ask if you do not believe Congress ought to look into this and see just how these things are done. Mr. Speaker, give us a committee. Nobody ought to be afraid to have you look into their business. All business ought to be public. There should be no secrecy in business, even in tax paying. If you will give this House a committee, they can look into it. You can appoint the committee, Mr. Speaker. You can appoint the most intelligent and reliable men you can find to place on that committee; stand-pat, regular Republicans, who will do your bidding, and let us just look into these things and see what is going on in the Treasury Department. Mr. Speaker, it may come about sooner than you think, because if the Democrats ever get control we are going to look into Uncle Andy's books. Just remember that. He knows it, too; and he is preparing for it. He is settling these cases while the settling time is good. He is settling these cases with these gentlemen from Philadelphia and Pittsburgh.

"One I find here is the American Window Glass Co. and subsidiaries, Pittsburgh. The refund of taxes for 1917 to 1919, two years, was \$2,131,000. I do not know anything about the glass business, but I am told that Pittsburgh is the greatest glass-producing section of the world. I do not know who owns that glass company. None of us knows anything about it. As I said a year ago, those corporations in which we know the Secretary of the Treasury has a large interest and which are controlled by his family, are making these compromises in the Treasury Department. Secretary Mellon makes a compromise with President Mellon of some company. Gentlemen, it is not right. It does not appeal to your con-

science and sense of justice, and I believe if you will look into it you will find that favoritism has been shown. In order to show favoritism to his own companies he establishes a policy that gives favoritism to similar companies doing business throughout the country.

"I notice one oil company on the list. It is one of the largest ones. It is the Middle States Oil Co. and subsidiaries of New York—1920 to 1922 there was a refund of \$4,320,-000. That is a New York company. How that oil company could have made a mistake in the rendition of its taxes \$4,320,000 in two years, considering the character of business it does, is beyond my imagination. I never heard of business people like we have in the United States, who have been so wonderfully successful in spreading commerce throughout the world; I never realized that there were so many big corporations which did not know how to make out their tax rendition.

"I am calling attention to this, gentlemen, because I think the Republican organization ought to investigate with a view to looking into the Treasury Department for the benefit of the Treasury Department, and for the benefit of the entire country. You can do it without making a political matter of it, and I believe it would be to the best interest of the Treasury Department and of the country, and to the satisfaction of the House of Representatives."

## *Chapter Thirteen . .*

ON December 16, 1930, Representative Louis T. McFadden, a Republican of Pennsylvania, and Chairman of the Banking and Currency committee, delivered in the House a speech remarkable for its vigorous criticism of the manner in which, he alleged, hundreds of millions of dollars' worth of "fancy securities" had been unloaded on the American public by the "international bankers."

Mr. Garner, taking the floor, as Mr. McFadden concluded his speech, characterized the address of the Pennsylvania Republican as "one of the most remarkable statements delivered in the House of Representatives in the last decade." In view of the fact that the speech was exceedingly critical of the Republican Administration, it must be regarded as being quite as remarkable as Mr. Garner viewed it. Republicans, until

then, had not been in the habit of saying unkind things about Andrew W. Mellon.

The speech gave the Gentleman from Texas a text for a still more comprehensive criticism of the administration of the Treasury Department, under Secretary Mellon, than anything he had yet delivered in the House. The speech that Mr. Garner then delivered must, indeed, be considered as his outstanding contribution to the proceedings of the House up to that time.

"I have taken the floor," \* said Mr. Garner, "to point out the attitude of the Secretary of the Treasury, who, for the first time in the history of the Republic, so far as I know, has inserted in his annual report on the state of the finances of the Treasury a political document given out to influence the election on November 4 last, in which he announced his reply directly to a statement I made. This is the first time in the history of the country, so far as I know, that a Cabinet officer has taken up a statement made by a Member of Congress, naming him personally in his annual report.

"More particularly am I concerned about the accuracy of that statement. For eight or nine years I have sought to impress on the House and the country—and I know some of the membership of this House believe—that the Treasury Department, in order to sustain its position in legislation, has not hesitated to mislead the Congress and the country by statistics of conditions existing in its department.

"On September 29, 1930, I happened to be in the city of Washington, and reports had just been made by the various campaign committees as to the amount of campaign funds

\* Cong. Record, 71st Cong. 3d Sess. P. 858 et seq.

contributed up to that time for the purpose of electing partisan Members of Congress. The Republican campaign committee reported \$250,000, as I recall it, while the Democrats reported about \$18,000. I analyzed that report and issued the following statement which I have permission to put into the RECORD, and which probably is the basis of Secretary Mellon's criticism:

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"That there is a close bond of sympathy between corporations that have been granted tax refunds and the Republican national organization is indicated in the recently published list of contributors to the Republican campaign fund. It may be a mere coincidence, but I attach considerable significance to the fact that each of the 17 individuals contributing \$10,000 to the Republican campaign funds has been a beneficiary of the extremely liberal policy of the United States Treasury with respect to tax refunds, credits, and abatements.

"A cursory survey of the reports on tax refunds for the past four years reveals that each of these contributors has received either personal refunds or is an officer, director, or otherwise interested in companies or corporations receiving such refunds or credits. Weeks of investigation would be necessary to ascertain with any degree of accuracy the extent to which they may have participated in tax refunds or all the various corporations with which they are connected that have been the beneficiaries of refunds, credits, or abatements.

"It is apparent from a hasty survey that the total refunded individuals or corporations with which the contributors in the \$10,000 and \$5,000 classifications are connected is greatly in excess of \$100,000,000.

"Another significant fact in this connection is that after

Claudius Huston faded from the picture and Senator Fess was selected Republican national chairman, Robert H. Lucas resigned his position as Commissioner of the Bureau of Internal Revenue and on August 7 assumed the duties of chief executive director of the Republican national organization. It was the bureau over which Mr. Lucas presided that handled these refunds, credits, and abatements which in recent years have averaged more than \$100,000,000 annually.

"Seventeen individuals have contributed \$10,000 each to aid the Republicans in their effort to retain control of the House and Senate. Only two States are represented in that list of contributors—Ohio and New York. And only three cities—New York, Cleveland, and Canton. Practically the same is true of the 13 contributors in the \$5,000 classification. All are residents of New York, Cleveland, or Canton with one exception—Theodore Gary, prominent Missouri financier. Every dollar listed in the campaign contributions as published came from New York or Ohio with the exception of the \$5,000 contribution from Missouri. And with few exceptions the donors have been beneficiaries of tax refunds, credits, or abatements secured through the Treasury Department.

"During the last session of Congress when the fact was revealed that through failure of the Treasury Department to contest tax refund claims of the United States Steel Corporation the Government had sustained a loss of at least \$9,000,000, and possibly \$26,000,000, I introduced a resolution authorizing an investigation of the Treasury Department in connection with these tax refunds. No action was taken by the committee to which this resolution was referred.

"What proportion of these claims for tax refunds would not have been collectible if the Treasury Department had adopted a policy of opposing the granting of such claims

without a decision of the courts is, of course, merely a matter for conjecture. However, the decision handed down by the United States Court of Claims on April 7, in the Packard Motor Car Co. case, shows conclusively that the loss sustained by the Government as a result of failure to secure a court decision in the United States Steel case was at least \$9,000,000. To what extent these contributors to the Republican campaign fund have been the beneficiaries of this hesitancy on the part of the Treasury Department to secure court decisions on all major cases could not be ascertained without a thorough investigation.

"A very incomplete investigation covering tax refunds received by companies or corporations in which the 17 contributors to the Republican campaign fund are interested reveals the following:

"Harry F. Guggenheim, New York, director Utah Copper Co., refunded \$102,911 in 1928; director Braden Copper Mine Co., refunded \$107,644 in 1929.

"Jeremiah Milbank, New York, director Chase National Bank, which was refunded \$41,239 in 1928; director Metropolitan Life Insurance Co., \$32,012 in 1929 and \$771,848 in 1930; son of Joseph Milbank, whose estate was granted refund of \$46,344 in 1929.

"John N. Willys, Cleveland, president Willys-Overland Co., which, with its subsidiaries, was granted refunds aggregating \$677,567 in 1930.

"George A. Martin, Cleveland, president and director Sherwin-Williams Co., which received refund of \$419,262 in 1929.

"H. M. Hanna, Cleveland, estate of father, Leonard C. Hanna, refunded \$55,202 in 1929; Leonard C. Hanna, jr., granted refund of \$27,993 in 1927.

"Cyrus S. Eaton, Cleveland, director Sherwin-Williams Co., which received refund of \$419,262 in 1929.

"W. R. Timken, New York, vice president and director Timken Roller Bearing Co., refunded \$34,198 in 1929; director Timken-Detroit Axle Co., refunded \$249,297 in 1929; granted personal refund of \$86,536 in 1927.

"O. P. and M. J. Van Sweringen, Cleveland, prominent railroad magnates. At least one railroad with which they are connected, the Erie, was refunded \$266,921 in 1929 and \$93,371 and \$86,443 in 1930.

"H. M. Timken, Canton, president Timken Roller Bearing Co., which was granted refund of \$34,198 in 1929.

"John D. Rockefeller and John D. Rockefeller, jr., New York, former granted personal refund of \$157,227 in 1929 and \$356,378 in 1930. The Standard Oil Co., with which the name of Rockefeller is generally linked, was awarded \$339,498 in 1929; Standard Oil Co. of Indiana, \$5,062,893 in 1927; Standard Oil Co. of Kentucky, \$2,629,313.

"Herbert N. Straus, New York, vice president and treasurer R. H. Macy & Co. (Inc.), which was granted refund of \$508,065 in 1927; partner in private bank of R. H. Macy & Co., which was refunded \$62,671 the same year.

"William Nelson Cromwell, New York attorney, director American Water Works & Electric Co., which was granted refunds of \$55,440 in 1927 and \$94,598 in 1929; director Manati Sugar Co., refunded \$72,614 in 1927.

"J. R. Nutt, Cleveland, director F. E. Meyers & Bros. Co., granted refund of \$83,669 in 1928.

"Harrison Williams, New York, director American Gas & Electric Co., which was granted refund of \$131,540 in 1927.

"Ernst & Ernst, Cleveland. This is a firm of tax specialists handling numerous refund cases for large corporations. In

a report filed April 27, 1925, by L. H. Parker with the Senate committee investigating the Bureau of Internal Revenue, and which was made part of the record, the following statement appears:

"We call your attention to the fact that Ernst & Ernst have handled cases involving many millions in taxes before the bureau, and if the above charges are proved it will be very reasonable to conclude that large sums have been lost to the Government through sharp practices in cases where such practices could not well be discovered."

"In the list of \$5,000 contributors we find the following:

"Harvey Firestone, Canton, president and director of the Firestone Rubber Co., which was granted refunds, credits, and abatements aggregating \$2,960,000.

"William Ziegler, New York, chairman of the executive committee and director of the American Maize Products Co., which was granted refund of \$92,311 in 1930.

"Charles Hayden, New York, member of executive committee and director of American Locomotive Co., which was granted refunds and credits aggregating \$1,876,000; director, Braden Copper Mine Co., refunded \$107,644 in 1929; vice-president, Utah Copper Co., refunded \$102,911 in 1928.

"George F. Baker and George F. Baker, jr., New York; latter is director in the United States Steel Corporation, which has received refunds totaling \$96,384,000; trustee, Mutual Life Insurance Co., which was refunded \$813,059 in 1929; director, Atlas Portland Cement Co., refunded \$191,856 in 1928.

"Sidney Z. Mitchell, New York, chairman of board American Gas & Electric Co., which was refunded \$131,540 in 1927; also director of Alabama Power Co., of Muscle Shoals fame.

"Walter A. Aldridge, New York, member advisory commit-

tee, Bankers Trust Co., which was awarded a refund of \$26,036 in 1927.

"Walter C. Teagle, New York, president and director Standard Oil Co., whose huge refunds have been referred to previously.

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"On October 28, as I recall, I gave out another statement concerning a refund of \$246,917.85 of taxes collected in 1918 to the Aluminum Co. of America. The recent report of the Treasury Department on another refund to the Aluminum Co. of America of \$246,917.85 on 1918 taxes should impress upon the American public the necessity that exists for calling a halt in this lavish refunding of taxes except upon a court decision covering each specific case.

"The records of the Joint Committee of Internal Revenue Taxation discloses that the Aluminum Co. of America, in which the Mellons are interested, was also granted in 1928 a refund of \$1,287,426. Reference to the Congressional Record of 1926 shows this company previously had been allowed \$1,501,277. The total refunds to this company of which we have knowledge amounts to the huge sum of \$3,035,620.

"In the past 11 years tax refunds, credits, and abatements, principally to large corporations of this type, have totaled nearly \$3,000,000,000, and numerous refunds have been made without court decisions covering many of the issues involved.

"I consider investigation of these tax refunds one of the most important duties of the next Congress. I made an effort during the recent session to secure such an investigation and introduced a resolution to that effect, but it was promptly smothered by the Republican majority.

"It is inconceivable that we should continue to grant these huge refunds except upon court decisions covering in full

the various issues involved. With a decrease of \$146,286,000 in collections of corporation and individual income taxes during the first nine months of this year, and a decrease of more than \$60,000,000 in customs receipts, it is obvious that the burden of these refunds will become increasingly heavy upon the taxpayers.

"I believe the great mass of American taxpayers, upon whom the burden of these refunds must fall, are entitled to demand of Congress and the Treasury Department that these matters be submitted to the courts for adjudication. It is apparent that a halt must be called, a thorough investigation made and rules established upon a sound basis by the courts.

"This brought blood. This last statement was recognized by the Secretary of the Treasury himself, and on the morning of the 31st of October he gave out a statement, and in the report of the Secretary of the Treasury for the year ending June 30, 1930, on page 380, we find Exhibit 52, 'Statement of Secretary of the Treasury Mellon relative to tax refunds (press release October 31, 1930).'

#### EXHIBIT 52

STATEMENT OF SECRETARY OF THE TREASURY MELLON  
RELATIVE TO TAX REFUNDS (PRESS RELEASE  
OCTOBER 31, 1930)

"The statement of Congressman Garner on the subject of tax refunds in this morning's press has been called to my attention. While the facts have repeatedly been set forth, it is important that it should be clearly understood why refunds are made and by what methods they are determined.

"The system prescribed by Congress for the collection

of Federal revenues is based upon the proposition that the needs of the Government demand the immediate payment of taxes. Any dispute over the amount to be paid can not be permitted to postpone payment. Any controversy can be considered and fairly determined thereafter.

" Accordingly, under our system of income taxes, each taxpayer prepares his own return and pays whatever tax he estimates to be due. Thereafter, the Bureau of Internal Revenue audits his return and examines the various elements involved. If the return is found to be correct, the matter is closed. If the taxpayer has underestimated his tax, an additional tax is assessed. If he has overestimated his tax, he is entitled to the refund of the amount overpaid. If the taxpayer is dissatisfied with the determination of the bureau, he is entitled to a full hearing, or, at his option, he may have recourse to the Board of Tax Appeals or to the courts.

" Full precautions have been taken to see that the interests of the Government are protected. A system has been set up which provides adequate checks and review in all cases. Let me briefly state the various steps that are taken before any money is paid to a taxpayer by way of tax refund.

" First. There is a field examination and audit made by civil service employees under the supervision and direction of a Treasury agent, who himself is in the classified civil service.

" Second. The facts as reported by the agent in the field are submitted to and carefully reviewed by the audit review division of the Bureau of Internal Revenue in Washington, with the assistance of the valuation division of the

bureau, composed of technical experts, all of whom are in the classified civil service.

"Third. If the refund involved is less than \$10,000, they report their recommendation to the Commissioner of Internal Revenue for approval or disapproval.

"Fourth. If the amount is over \$10,000, the proposed refund, together with all data, is forwarded to the office of the General Counsel of the Bureau of Internal Revenue. There a complete review is made of each and every item, with the assistance, if necessary, of the technical staff of the Bureau of Internal Revenue.

"Fifth. All refunds in excess of \$75,000 are submitted in advance of payment and passed upon by the Congressional Joint Committee on Internal Revenue Taxation, consisting of Senator Smoot, of Utah; Senator Watson, of Indiana; Senator Reed, of Pennsylvania; Senator Harrison, of Mississippi; Congressman Hawley, of Oregon; Congressman Treadway, of Massachusetts; Congressman Bacharach, of New Jersey; Congressman Garner, of Texas; and Congressman Collier, of Mississippi.

"The suggestion that under any system such as this refunds for political or any other improper purpose are possible is simply preposterous.

"By far the largest amount of refunds is due to court decisions, or other causes, over which the Treasury has no control. Furthermore, the largest refunds in recent years have almost without exception been attributable to the years of the war. At that time the Government was under the necessity of collecting more than \$4,000,000,000 annually. The statute was new and complicated and understood by few. There was no time to determine controversies, and in the emergency taxpayers generally paid large amounts into

the Public Treasury, the legality of which was in dispute. There was always, however, the assurance that ultimately these payments would be analyzed, that correct interpretations would be applied, that justice would be done, and excessive payments refunded.

"To say that refunds should be made only by virtue of the decision of a court is to delegate to the courts the entire administration of the income tax law. It is evident that what would apply to refunds would be equally applicable to additional assessments. In effect all questions involving disagreement would have to be referred to the courts. This would result in such interminable delay as to break down the administration of our income-tax system, and would place an intolerable burden upon our already overworked Federal courts. The suggestion can not be intended seriously.

"It is significant to note that the bureau has collected far more in additional taxes than it has paid out in refunds. During the past 14 years the total amount of additional assessments resulting from office audits and field investigations has been \$5,345,202,277, while the amount paid out in refunds during the same period has been \$1,254,317,890. During that period the total internal-revenue receipts have been \$44,032,371,357, so that the amount refunded by the bureau has been only approximately 2.8 per cent of the amount collected."

"Secretary Mellon names the members of the Joint Committee on Internal Revenue Taxation in this document, a remarkable one, and says that they pass on these refunds in advance of payment. Mr. Mellon says:

"Fifth. All refunds in excess of \$75,000 are submitted in advance of payment and passed upon by the Congres-

sional Joint Committee on Internal Revenue Taxation consisting of Senator Smoot, of Utah; Senator Watson, of Indiana; Senator Reed, of Pennsylvania; Senator Harrison, of Mississippi; Congressman Hawley, of Oregon; Congressman Treadway, of Massachusetts; Congressman Bacharach, of New Jersey; Congressman Garner, of Texas; and Congressman Collier, of Mississippi.'

"In my statement I called attention to the refund to the Aluminum Co. of America, stating that it was but a small part of the total refund they had received, and that the abatements and credits to the Aluminum Co. of America while Mr. Mellon had been Secretary of the Treasury, his own company, amounted to more than \$3,000,000. He undertakes to convey the idea that this joint committee had passed on the same. Gentlemen, you will recall that there have been only three cases that the joint committee has passed on and brought to the floor of this House, or has ever given any consideration to, two of them for the United States Steel Corporation, and the other the California and Hawaiian Sugar Co. case. Outside of that, the joint committee has never been called together to consider these refunds. I had no more knowledge of that particular refund than any gentleman here, and I had no more to do with determining the advisability of that refund than any of you members or any citizen of the United States. . . .

"There is a Member of the House [Mr. Hawley] who is chairman of that committee, and I was one who insisted that the House control that committee and its chairmanship. The gentleman will recall that I made that fight, and held the matter up for three months, and it is the first time in the history of the Congress—in 25 years to my certain knowledge—when the House of Representatives has secured the chair-

manship of a joint committee, and that was the result of my effort, and I am proud of it. But I say this: That under the domination of the Republican organization in this House that chairman has not functioned as I thought he would and as I think he ought to function. He never called the joint committee together to consider these matters, except the three cases heretofore referred to."

At this point Mr. Garner produced a number of tabulations, prepared at his request by the Treasury Department, showing the total receipts from internal revenue from the period 1917 to 1930, inclusive. The grand total for the 14 years was shown by the Treasury to have reached the staggering sum of \$44,032,371,357. During this same period the total receipts from income, excess profits, and estate taxes amounted to \$32,794,833,701. The tables presented also showed the refunds, credits and abatements for the same years. The Treasury figures disclosed that the total cash refunds had amounted to \$1,254,317,890, for the 14-year period; and a total of credits and abatements for the previous 9 years, of \$2,252,042,676, a grand total of refunds, credits and abatements, of \$3,506,360,566.

"Let us see," said Mr. Garner, resuming the thread of his discourse, "how closely Mr. Mellon's figure of \$1,254,317,890 approaches the approximate amount. First, let me call attention to the fact that Mr. Mellon says that \$44,032,371,357 is the amount collected. He includes all taxes collected. But no refunds are made, you know, of such taxes as were levied on theater, baseball, and amusement tickets, and on candy and chewing gum and many other taxes levied and

collected during these 14 years, amounting to more than \$11,000,000,000. But Mr. Mellon puts them in to reduce the percentage of refunds. Mr. Parker, however, has analyzed them, and his analysis is illuminating.

"I submitted a questionnaire to Mr. Parker. Question No. 3 is, 'What is the total of refunds, credits, and abatements of the same period?' 1917-1930, inclusive. The figures are as follows; that is, for the 14 years: Mr. Mellon says \$1,254,317,890 refunds. Mr. Parker's figures are: 'Cash refunds, \$1,254,317,890,' just the same as Mr. Mellon gives. Mr. Parker also gives 'credits and abatements,' which are virtually the same as refunds, '\$2,252,042,676.' Mr. Mellon did not mention these. 'Total, \$3,450,434,392,' compared with Mr. Mellon's total of \$1,254,000,000.

"Do you think Mr. Mellon was giving the country fair and complete information upon which to base its judgment of the policy of his department in making these large refunds?

"Now, that is not the only misleading statement. Let me call your attention to the forty-four billion, which is the total of all taxes collected, while the refunds, credits, and abatements are almost exclusively of income, excess profits, and estate taxes. The total income, excess profits, and estate taxes for the 14 years is \$32,794,833,701. The Secretary of the Treasury uses \$44,032,371,357 in order to reduce his percentage to 2.8. Was that fair? The Secretary of the Treasury takes the total receipts for internal revenue for 14 years instead of taking the receipts of income, excess profits, and estate taxes for the purpose of making percentages.

"But that is not the worst part of it. He gives the percentage in this statement as 2.08 and indicates that is what has been refunded in the past 14 years. Let me call to your attention the fifth question:

"What per cent of the income, excess profits, and estate tax receipts are the refunds, credits, and abatements each year?

"What per cent of the income, excess profits, and estate tax receipts are refunded, because that is practically all that is refunded? You do not refund any of these other consumption and excise taxes. Now, instead of it being 2.08, as Mr. Mellon conveyed to the country, let us see what it is.

"The ratio between refunds and the income, excess profits, and estate tax receipts, 1917, refunds only, two-tenths of 1 per cent; 1918, one-tenth of 1 per cent; 1919, three-tenths of 1 per cent; 1920, four-tenths of 1 per cent; 1921, eight-tenths of 1 per cent; 1922—here is where Uncle Andy comes in; this is the first year he functioned—1922, 2.2 per cent; 1923—Uncle Andy was getting active; he was just learning the game—1923, 6.8 per cent; 1924, 7 per cent; 1925, 8.1 per cent; 1926, 8.3 per cent; 1927, 4.5 per cent.

"Why such a fall in that refund in 1927? Why did it fall nearly 50 per cent in that year? Congress passed a law and told the Treasury Department that every one of these refunds the department made should be reported to Congress, each refund over \$75,000 should be reported to this joint committee, and immediately, as the result of that law, the refunds declined 50 per cent in one year.

"I just want the House to understand this situation, and especially my Republican brethren, as to how much dependence can be placed upon statements of the Treasury Department, based upon any statistics that it gives."

"Is there anything to indicate that any of the refunds which were made were improperly or illegally made?" asked Representative Golder.

"I think there is, sir," replied Mr. Garner.

"Will the gentleman produce it?"

"Produce it? Give me the opportunity to investigate the Treasury Department and I will do it," said Mr. Garner.

"The gentleman apparently has that power," insisted Mr. Golder.

"No. I have not," Mr. Garner said. "If you will give me that power with your vote, I will attend to the job very quickly. I desire, in this connection, to call attention to a statement I issued last May, in which I discussed the policy of the Treasury with respect to granting refunds without court decisions.

"Failure of the Treasury Department to contest in the courts the tax-refund claims of the United States Steel Corporation has resulted in a direct loss to the Government of at least \$9,000,000, and possibly \$26,000,000.

"This loss is made evident by the recent decision of the United States Court of Claims in the case of the Packard Motor Car Co. against the United States, in which were involved the same issues upon which part of the recent refund of \$33,000,000 to the United States Steel Corporation on 1918 taxes was based.

"Application of the same principles to the \$26,000,000 refund to the United States Steel Corporation on 1917 taxes would have saved the Government \$17,000,000, and in my opinion the Treasury Department has been guilty of gross negligence in its failure to bring these controverted matters into the courts.

"One of the points at issue in the case of the United States Steel Corporation was the elimination of intercompany profits from the 1918 inventory. This point was conceded in favor of the Steel Corporation by the Treasury Department and the majority members of the Joint Committee on Internal Revenue Taxation. On April 7 the United States Court of

Claims handed down a unanimous decision on this point in the Packard Motor Co. case, showing clearly and indisputably that the rule used by the department was wrong. If the rule laid down by the Court of Claims had been followed in the Steel case, we would have saved \$6,000,000 in principal and \$3,000,000 in interest. If the same rule applies to the \$26,000,000 refund of 1917 taxes to this corporation, and I am convinced it does, we would have saved \$17,000,000 principal alone by taking the case into court.

"Last March I called the attention of the House to the \$33,000,000 refund of 1918 taxes, and my contention was that there were enough controverted matters which had not been adjudicated by the courts or the Board of Tax Appeals to demand that the Treasury Department go into the courts and permit them to adjudicate what we owed, if anything, to the United States Steel Corporation. As a minority member of the Joint Committee on Internal Revenue Taxation I have consistently opposed the granting of these enormous refunds without a decision of the courts.

"The gross negligence of the Treasury Department in granting these enormous refunds to the United States Steel Corporation without a court decision has resulted in the loss of \$9,000,000 in this one case alone, and it is impossible at this time to compute how much more has been lost through the application of this erroneous principle in other cases. And not only was the joint committee warned by the minority members that the case should be taken to the courts, but it was also warned by its own technical staff that the rule used on this specific question was not the correct rule, and the decision of the Court of Claims demonstrates the solid basis for these warnings.

"On March 4, L. H. Parker, chief of staff of the joint com-

mittee, stated in a report on the proposed refund of \$33,000,-000 to the Steel Corporation:

"It is true that the bureau is following a recent ruling of its legal department in the treatment of intercompany profits, but it is also true that the present policy is a reversal of the policy followed up to 1924, and it is believed that the present policy is open to serious question.

"Under this rule the Government loses about \$17,000,-000 tax in 1917 and \$6,000,000 in 1918 by the consolidated returns. For its present procedure the bureau relies primarily on S. M. 1530 and secondarily on L. O. 1108. Both of these decisions were published in 1924 and represent a reversal of the first policy without any court decisions requiring such change.

"Law opinion 1108 was written by Mr. Alexander Gregg, formerly solicitor of the Bureau of Internal Revenue, before the time he became solicitor. Mr. Gregg, however, put a memorandum in the file condemning the very memorandum he wrote as being unsound and fallacious."

"Upon this opinion, which was not concurred in by its author, these refunds have been granted, and the consolidated companies, such as the United States Steel Corporation, have been the beneficiaries. It should be remembered that by this opinion only the consolidated companies benefit; that it does not affect the ordinary corporation in any way.

"In the revenue act of 1928, through the efforts of the minority, the consolidated returns provision was stricken from the act in the House, but was restored by the Senate. The pernicious effect of this provision is exemplified in this one case, especially when administered by executives who appear

to function solely for the purpose of protecting the interests of these corporations rather than the interests of the Government.

"We spend days in the House debating items of only a few thousand dollars. We devote months to the consideration of whether we shall appropriate \$9,000,000 or \$12,000,000 for the District of Columbia government, and yet we hand to the United States Steel Corporation \$26,000,000 with only an ineffectual protest from the minority and without a court decision upon which to base such refunds.

"Several weeks ago I introduced a resolution authorizing an investigation of the Treasury Department in connection with these tax refunds, and that resolution has never been reported by the committee to which it was referred. I believe that in view of this decision of the Court of Claims, the resolution should be acted upon and Congress informed as to the reason and motives of the Treasury Department in granting these refunds without a court decision.

"The \$33,000,000 refund to the United States Steel Corporation was approved by the majority members of the Joint Committee on Internal Revenue Taxation, in March. Since that time refunds aggregating \$5,845,052.75 have been approved by the Treasury Department, and it is interesting to note that of this amount, \$3,435,948 represents refunds to Pennsylvania corporations.

"I believe that the great mass of American taxpayers, upon whom the burden of these enormous refunds must fall, are entitled to demand of Congress and the Treasury Department that these matters be submitted to the courts for adjudication. The fallacy of the rule applied by the Treasury Department has been made evident by the decision of the Court of Claims, and it is obvious that a halt must be called, a thorough in-

vestigation made, and rules established upon a sound basis by the courts.

"I just read you the refunds only. Secretary Mellon says they are only 2.8 per cent of the total receipts. He is right about that, but he did not tell you about the credits and abatements, which are the same thing. There is no difference between sending you a check and giving you credit for what you owe, and that is what they have done in these credits and abatements. They have given credit for \$2,250,-000,000, in round numbers, on taxes owed the Government, and these were virtually refunds, in round numbers, of \$2,250,000,000.

"Let us see how that comes about. This is Mr. Parker's report. The ratio between total of refunds, credits, and abatements, and income, excess-profits, and estate-tax receipts commencing with Secretary Mellon's régime in 1922, 8.2 per cent. You see, he has only given 2.10 per cent for refunds, but credits and abatements bring the total up to 8.2 per cent.

"In 1923, according to Mr. Parker's report, refunds amounted to 6.8 per cent, but the additions for credits and abatements bring it to 23.7 per cent. In 1924 refunds amounted to 7 per cent, but adding credits and abatements brings the total to 25.3 per cent. In 1925 refunds amounted to 8.1 per cent, but adding credits and abatements makes it 20.2 per cent. In 1926 the refunds were 8.3 per cent, but with credits and abatements added a total of 24.5 per cent was reached.

"In 1927, when Congress began to look into these refunds to ascertain what the Treasury was doing, you will remember Secretary Mellon opposed it, and we had to get some patriots from the Republican side to overcome Tilson and

Longworth in order to secure legislation which would permit us to look into it.

"And when we looked into it and passed that law in 1926 what did we find? In 1927 he came down to 4.5 per cent in refunds, and with abatements and credits it dropped to 15.3 per cent, a reduction of something like 9 per cent under the year before. Finally we get down to 1930. We got interested last year and had a little discussion about it. In 1930 the Treasury refunded 5.1 per cent, and with credits and abatements it was 13.2 per cent, the smallest amount that Mr. Mellon has refunded in any year since 1923.

"Now, gentlemen, I call your attention to this in order that you may appreciate the report of the Secretary of the Treasury if you have occasion to look it over, and I have given you these figures so you may know the true situation.

"No one knows and we can not tell yet about these additional assessments. I have written the Secretary a letter for the purpose of trying to get information as to how much of these extra assessments have been collected. They have been made, but there is no report anywhere showing amount collected. I challenge you to find a report showing collections or those they have been unable to collect, or what their status is. The Secretary makes no such report. I have written a letter asking him some questions along that line, and if I get an answer I am going to give it to the House of Representatives.

"The Treasury has given in refunds, credits, and abatements over \$3,000,000,000, and yet the Secretary undertakes to tell the country that the Treasury has refunded only 2.8 per cent, when as a matter of fact it is three times that amount or nearer four times that amount."

As one of the results of the election which changed

the control of the House of Representatives in 1931, Speaker Garner had the satisfaction of seeing a Democrat assume the chairmanship of the Joint Committee on Internal Revenue Taxation.

## *Chapter Fourteen . .*

**S**UCCESS in life is due to ambition, courage, energy, brains—and accident.

John Nance Garner early in his Congressional career was possessed of the ambition to be the Speaker of the House of Representatives.

He was endowed with courage and energy. He brought to bear upon the multitudinous duties which devolved upon him an unusual mental equipment.

But an accident, which produced a complete and unusual change in party leadership in the House in the Seventieth Congress, for a time removed him from the line of succession to the Speakership. He was like to have failed of his goal when he had all but reached it.

To understand how this came about it is necessary to analyze what transpired in the House of Representatives after the Democratic debacle under Woodrow Wilson

in 1918, and in 1920, the years in which Garner was coming to the full fruition of his powers.

While Warren G. Harding was being inaugurated as President of the United States, on March 4, 1921, the flags over the Capitol were at half mast for a great American leader.

Champ Clark died in Washington, March 2, 1921. His passing left the party which he had brilliantly led in the House all but demoralized.

From March, 1915, to March, 1919, in the Sixty-fourth and Sixty-fifth Congresses, Claude Kitchin, of North Carolina, was chairman of the Ways and Means committee.

Under the Democratic reforms which took place when Clark was elected Speaker at the beginning of the Sixty-second Congress, in 1911, it was arranged by the Democrats that the Democratic members of the Ways and Means committee should comprise the Committee on Committees, charged with the creation of the House committees, and with responsibility for party policies, and that the Democratic chairman of Ways and Means should be the Floor Leader of the party. This arrangement concentrated a considerable power in the hands of the chairman of Ways and Means, who, in this instance, was Oscar W. Underwood, of Alabama.

When Underwood went to the Senate, Claude Kitchin became the chairman of Ways and Means.

The Democrats lost the House with the opening of

the Sixty-sixth Congress in 1919, and Kitchin, as former chairman of Ways and Means, became the ranking Democrat on that committee. But he stepped aside as Minority Leader, the head of his party in the House, and Champ Clark filled that position, and was the Democratic candidate for Speaker against Frederick H. Gillett, of Massachusetts.

Toward the end of his service, Mr. Kitchin again became Minority Leader, with the passing of Clark. He was in ill health. He was an old-fashioned Democrat on the tariff question, virtually a free trade advocate. Garner believed that agriculture was entitled to protection along with manufactured products. The Gentleman from Texas was not wholly in harmony with his party on this question, and not at all in harmony with Kitchin. In passing, it should be recalled that in 1928, Garner had the satisfaction of seeing the nominee of his party, Alfred E. Smith, take the position on the tariff which he had taken years before.

Kitchin finally became too ill to attend to his duties, and he now did an extraordinary thing, which might, in the end, have cost John N. Garner the Speakership, had not fate interposed at the eleventh hour.

Kitchin went before the Democratic caucus, and explaining the condition of his health, proposed that the caucus designate Finis J. Garrett, of Tennessee, as Minority Leader in his absence. Presumably, he did this because of Garner's conservative views on the tariff.

It was a radical departure from the Democratic precedents established under Champ Clark. Since 1911, the ranking Democrat on Ways and Means had been the Democratic Leader. And Garrett was not even a member of Ways and Means. However, the caucus agreed to Kitchin's proposal.

Garner had been placed on Ways and Means at the beginning of the Sixty-third Congress, in 1913, and had helped to write the Underwood-Simmons tariff law. He was then tenth Democrat in rank. Kitchin, Henry T. Rainey, Cordell Hull, of Tennessee, A. Mitchell Palmer, of Pennsylvania, and others, ranked him.

But Palmer left the House. That moved Garner up. In the Sixty-sixth Congress, Garner was again placed on Ways and Means. His place there was, of course, by now secure. Cordell Hull and Henry T. Rainey were both defeated for the Sixty-seventh Congress. Kitchin was therefore ranking Democrat on that all-powerful committee, and Garner was now next.

Thus, by surviving the elections of 1920, when Democrats ahead of him on the committee were defeated, Garner was in second place on the Democratic side of Ways and Means.

Claude Kitchin died in May, 1923, before the Sixty-eighth Congress convened, and when that Congress met, Garner was, by seniority rule, at the top of the Democratic list on Ways and Means. The long, grilling climb of a lifetime was at an end.

But by the perversity of Fate, he was not the Democratic Leader. There, in that place, stood Finis J. Garrett, of Tennessee, who owed his standing in the party to his place on the Rules committee.

Garner's friends canvassed the House to ascertain if the Texan could be elected Minority Leader. It would mean a party fight, perhaps a disastrous split. In the interest of party harmony Garner did not become a candidate for the Minority Leadership, in the Democratic caucus, and Garrett remained firmly entrenched as the leader of his party in the House. This won for Garner, later on, all of Garrett's friends in the House.

There was one thing, however, and an all-important thing, that John N. Garner did keep. As ranking Democrat on Ways and Means, he retained the power originally conferred by the Champ Clark organization, the power of Chairman of the Democratic Committee on Committees, which determined all the Democratic committee places in the House.

And he also retained the chairmanship of the Democratic committee—not of the House, but of the caucus—which determined party policies. Two strong factors in leadership were still his.

It is to the eternal credit of John N. Garner, as a party man, believing in the Constitutional system of government through parties, that he supported Garrett, the Minority Leader, with absolute loyalty.

No unkind word ever passed between the two men, as they worked thus side by side, with divided authority. They saw things together with a single eye, and worked for the good of the party. Garner lacked a title, but of the two, he was the stronger.

When the Hawley-Smoot tariff bill was put through by the Republican party in 1930, Garner labored against what he believed to be its iniquitous features in committee, and voted against the bill. There was enormous pressure exerted upon him in his own district, and from other parts of the country, to induce him to support it, but he believed it to be a bad measure, and inimicable to the welfare of the great masses of the American people.

He made a succinct statement about this Republican tariff measure, while it was pending in Congress, which summarizes his views upon this controversial issue in American politics.

"Striking direct at the workingman, the farmer, and the small business man—the real foundation upon which American progress and prosperity has been established—the Hawley-Smoot tariff," \* said Mr. Garner, "places an unjust and unnecessary burden of hundreds of millions of dollars annually upon those already overburdened by the gradual development of a tariff system which extends special favors to the few at the expense of the masses.

"No greater fraud was ever perpetrated upon the American

\* Cong. Record, June 6, 1930. P. 10665.

people than the claim of proponents of the Hawley-Smoot bill that it is designed 'to protect American labor,' a statement which the Republican members of the Ways and Means Committee had the audacity to insert in the title of the bill. Its real purpose is to exploit, not to protect, and the millions of American workingmen, as well as the farmers and business men, are the targets against whom these shafts of tariff exploitation are aimed.

"It is extremely unfortunate that the average individual does not have the time or the information at hand to ascertain with any degree of accuracy how he will be affected personally. An excessive tariff can be classified as an intangible tax which reverts to the protected interests instead of the Government. The formulation of a tariff bill has developed into a wild scramble on the part of many selfish interests to secure the assent of Congress to the imposition of indefensible burdens upon the consumers. The consumer has no definite knowledge of how hard he is hit by this intangible tax. He can not ascertain the production costs on the articles he buys nor the cost of distribution. In a vague way he knows that the costs of the necessities of life are constantly mounting; that the already swollen fortunes of these favored by excessive tariff rates are expanding; but he pays the extortionate prices created by these indefensible rates and merely utters ineffectual protest against the system which has placed an intangible and unreasonable tax upon practically every necessity of life.

"Almost every article the average American citizen wears, eats, or uses in his daily routine carries the tariff tax. Awake or asleep he is constantly adding to the profits of those interests which are granted a special dispensation through the tariff to exploit him.

"Take the average American workingman as an example. When he arises in the morning he shaves himself with a razor carrying a 117 per cent tariff tax, using soap that has a rate of 30 per cent. He dons his underwear, which, if cotton, is taxed 45 per cent; if wool, 55 per cent; and 73 per cent if he has aristocratic tastes and wears undergarments of rayon. He puts on his shirt, taxed  $37\frac{1}{2}$  per cent if made of cotton; draws on his rayon hose on which he is assessed 73.34 per cent, and proceeds to don his light wool suit, taxed 67 per cent. He next pulls on his shoes, taxed 20 per cent, and, his toilet completed, he wipes his nose on a handkerchief which has a tariff rate of 40 per cent, and then hurries to the dining room for breakfast.

"The morning meal, like all other meals, is a tariff nightmare. The buckwheat in the cakes is taxed 14 per cent. He spreads them with butter, which carries a tariff rate of 38.84 per cent, and gives them a liberal application of maple sirup, taxed 41.28 per cent. The bacon is taxed 9.16 per cent, and sugar 2 cents. Coffee is the only item on the menu that does not carry a tariff tax.

"The wife is busy filling that 'full dinner pail,' taxed 45 per cent, while he dons his cheap overcoat, taxed 86.31 per cent, and his wool hat, taxed 203 per cent. If he can afford the higher grade of wool hat he is taxed only 111 per cent, or if he wears a straw, the manufacturer thereof has a tariff rate of 159 per cent to 'protect' his product. While waiting for his wife to bring the dinner pail he fills his pipe, taxed 423 per cent, and after a glance at the clock, taxed 91.83 per cent, hurries off to his daily toil.

"If he is a mechanic, every tool and practically every piece of material he may use carries an excessive tariff rate. If he is a clerk or accountant, his pens, pencils, paper, typewriter,

ink, paper clips, and every other article he may use has had its price enhanced by the tariff. If he is an executive, he sits down at a desk, taxed 40 per cent, smokes a cigar the wrapper of which is taxed \$2.92 per pound, and gives his orders to the tariff-harried office force, each of whom is probably contemplating asking for a salary increase in order to meet the ever-increasing cost of the necessities of life.

"When the noon whistle blows the workingman seizes his dinner pail and proceeds to regale himself with roast beef, taxed 25.73 per cent; a couple of boiled eggs, 34.44 per cent; cold potatoes, taxed 52 per cent, and finishes with a bottle of milk, which carries a 37 per cent tariff rate. This menu may be varied from day to day, but there is little variation in the tariff burden the workingman is compelled to carry.

"In the meantime, his wife has had a busy morning and has done her bit toward maintaining the prosperity of the tariff barons. After preparing breakfast on the gas range, taxed 40 per cent, she decides to add to the menu some oatmeal, which still carries the old tariff rate of 8.16 per cent. With this she places on the table a small pitcher of cream, taxed 34.75 per cent, and then awakens the children. After giving them a bath in the enameled tub, taxed 48 per cent, she admonishes them not to forget to clean their teeth with brushes taxed 73 to 101 per cent, and hurries them into their tariff-taxed clothing and down to their simple but highly taxed breakfast. A few minutes later the children hear the school bell, taxed 40 per cent, and taking their pens, taxed 43.26 per cent; pencils, 45.11 per cent; and paper, 29.24 per cent, depart to spend the day studying books printed on tariff-taxed paper.

"Their mother sweeps the home with a broom, taxed 25 per cent; scrubs the linoleum, taxed 42 per cent, with a

brush, taxed 50 per cent, using soap, all the components of which carry tariff rates. Completing this duty, she washes some of the necessary clothing for the children, using a tub, taxed 40 per cent, hanging the garments on a clothesline, taxed 42 per cent, with clothespins that carry a tariff rate of 121.31 per cent. Completing this work, she brushes her feet on a coco-fiber doormat, taxed 78.76 per cent, and hurries into the house to continue her daily routine.

"She sews some buttons, taxed 358 per cent, on her daughter's dress, and then concludes to get down to the market. Discarding her cotton house dress, taxed 54 per cent, she proceeds to comb her hair, using a comb taxed 60.26 per cent. She applies face cream and a little rouge, each taxed 75 per cent, and the powder applied to her nose is also taxed 75 per cent. She dons her woolen street dress, taxed 105.53 per cent; her hat, taxed 203.09 per cent; and, taking her umbrella, taxed 60 per cent, and shopping bag, taxed 35 per cent, waits for the street car on the concrete step, the cement of which is taxed 16.86 per cent.

"Arriving at the market she purchases such of the tariff-taxed necessities of life as her slim purse will permit, and as she has a little time before lunch decides to 'shop' among the stores.

"She needs an electric iron, but learns that the price has gone up, due to the 124 per cent tariff tax. She decides to buy an imitation pearl necklace for her daughter, but finds that through the act of Congress the manufacturers of such articles have secured tariff rates which have boosted the prices. She also learns that the good, the 5-cent, cigar her husband formerly enjoyed in the evening after work hours can no longer be procured at that price, due to the high rate placed upon wrapper tobacco, and concludes that he must content

himself with the pipe, on which the tariff has already been paid.

"The children return from school and seek to amuse themselves with their toys, taxed 70 per cent. Little Johnny adds to the profits of the textile manufacturers by ruining his trousers, necessitating a new pair, taxed at 56.36 per cent. His older brother dons his wool sweater, taxed 105.43 per cent, takes his steel fishing rod and reel, taxed 55 per cent, and goes down to the river confident he can catch a fish upon which he will not be compelled to pay a tariff tax.

"When the father returns in the evening, dinner is served on a table taxed 40 per cent, the family sitting on chairs that carry the same tariff rate. The chinaware, if decorated, is taxed 81.06 per cent; if not decorated, only 76.76 per cent. The silverware is taxed 65 per cent, and practically every article of food on the table carries a tariff rate.

"After dinner father draws on his overalls, taxed  $37\frac{1}{2}$  per cent, digs in the garden with a spade, taxed 30 per cent. Willie cuts the lawn and trims the hedges, both the lawn mower and the sickle carrying tariff rates of 30 per cent.

"In the house mother clears up the dinner dishes and daughter sweeps the dining-room rug, taxed 60 per cent. Finally the family repair to the living room, turn on the electric light bulbs, taxed 20 per cent, and listen to 'Amos and Andy' over a radio taxed 40 per cent. Later they retire to their beds, taxed 45 per cent, draw over them blankets, taxed 103 per cent, and after settling their heads comfortably on feather pillows, taxed 20 per cent, compose themselves to slumber and forgetfulness of the burdens which the tariff barons, with the acquiescence of Congress, have placed upon them.

"Apparently there is no escape from this tariff burden.

After the American consumer has spent his days trying to extract from life a fair measure of its joys, and each hour of the day and night contributing to the profits of those special interests which have been successful in securing indefensible tariff favors, even death does not free him from their pitiless greed. His family is compelled to pay a tariff tax on practically every article that goes into the manufacture of his coffin, and when his body is finally laid to rest the granite tombstone with which they mark his resting place will carry a tariff rate ranging from 60 to 1,500 per cent."

Although John N. Garner thus enunciated Democratic doctrine, and although he was, by virtue of his knowledge of the tariff, and the commanding place which he held on the Ways and Means committee, an actual leader of his party in the House of Representatives, nevertheless it was Finis J. Garrett, of Tennessee, who had been the nominee of the Democratic party for the Speakership in the Sixty-eight, Sixty-ninth, and Seventieth Congresses.

If Mr. Garrett had remained in the House, he, undoubtedly, would have been the Democratic candidate for Speaker in the Seventy-first Congress and in all human probability he would have been his party's candidate for that high office in the Seventy-second Congress, and would have been elected Speaker.

But here again accident, or fatality, interposed to shape the career of the man from Texas. Finis J. Garrett left the House and made an unsuccessful race for

the Senate. On February 18, 1929, he accepted an appointment, by President Coolidge, as judge of the United States Court of Customs and Patent Appeals. His Congressional career was at an end.

In the Seventy-first Congress, John N. Garner, who for twenty-six years had stuck doggedly to his job of being a member of the House of Representatives, thus came into the full possession of all his prerogatives.

He was ranking Democrat on Ways and Means, and became Minority Leader in his own right.

He was his party's candidate for the Speakership in 1928, but his old friend, Nicholas Longworth, of Ohio, defeated him.

The elections of 1930 left the balance of power in the House of Representatives in doubt, with the Republicans slightly in the lead.

But many deaths occurred, including that of the beloved Longworth himself.

In the special elections in 1931, the swing of the country to the Democratic party continued. One Republican stronghold after another crumbled.

By the time the Seventy-second Congress convened, the Democrats had a slender majority of four.

Fate in her most dramatic mood seemed to have interposed to make John Nance Garner at last, after twenty-eight years of service to the country and to his party, the Speaker of the House.

## *Chapter Fifteen . .*

JOHN NANCE GARNER took the Democratic leadership in the House not as a compliment or an honor, but as a sacred responsibility.

The Speakership carried with it, in his conception, obligations to the country, to the House, and to the party.

All of his acts and policies, when he assumed the duties of that high office, were determined with these three obligations in mind.

The seriousness with which he regarded his obligation to the House—to the Congress—was made manifest when, through his influence, the body over which he presided, in passing a temporary tariff bill early in 1932, embodied in that measure a provision requiring the Tariff Commission to make its reports to the Congress, instead of to the President of the United States.

This was the first step which had been taken to restore the prestige of Congress in tariff making, which had been seriously impaired by the Act creating the Tariff Commission, when the Constitutional prerogative of Congress, with respect of the tariff, was weakened by the transfer of a large part of that power to the Executive branch of the government.

The seriousness with which he regarded his obligation to his party was exemplified by his action in initiating a joint Democratic Steering Committee, of Senate and House, for the determination, within the party, of party policies.

This Joint Steering Committee functioned well from the beginning. Party problems were threshed out between the leaders of both branches of Congress, one of them being the Speaker himself. Conflicts of opinion within the party, where they existed, were smoothed out before they could become embarrassing.

Thus Speaker Garner made every effort, on the eve of an important Presidential election, to avoid party mistakes in the House which might be prejudicial to the party interest in the national field. His leadership was to be subjected to an unusual test, without parallel in the recent history of Congress.

This was to come on the question of the imposition of taxes to meet the dire needs of the government. The question was in the background of all the Speaker's thoughts. There rested upon him a great obligation

to the country—to the American people. That obligation could be discharged only by holding the Democrats of the House together, and they not only controlled the House by the slenderest of threads, but they were themselves divided on certain highly controversial issues. Chief among these was prohibition.

Although coming from a "dry" state, Mr. Garner voted against the Eighteenth amendment. When prohibition was finally written into the Constitution of the United States, however, he conceived it to be his duty, as a Representative in Congress who had taken an oath to support the Constitution, to vote in favor of enforcing that amendment as long as it should remain a part of the Constitution. This has been his consistent position on prohibition.

In his campaign in 1928 Mr. Garner reiterated this position. He was against the Eighteenth amendment, but it was a part of the Constitution.

When, on March 14, 1932, a resolution was voted upon by the House, providing for the resubmittal of the Eighteenth amendment, Mr. Garner was criticized by some of those who did not understand the critical legislative situation in the House, for not taking the floor in support of the resolution, and for not voting for it. These critics forgot that the vote was merely a gesture, that the Speaker's vote could neither defeat it nor cause it to be passed. They forgot that Speakers rarely take the floor, and still more rarely cast a vote. But what

they principally forgot was the perilous situation with respect of the revenue bill, and other major legislation still to come up for consideration, and that the Speaker, by taking sides, at that critical juncture, on the prohibition question, might have imperilled the whole taxation program, and the general interest of the country.

When he became Speaker Mr. Garner established the custom of keeping in close touch with all the chairmen of committees which were considering bills. Having no dictatorial powers, he endeavored to accomplish by conference and persuasion what the old-fashion Czar-like Speakers, Reed and Cannon, sought to accomplish by arbitrarily throttling the individual members of the House.

In the interest of the people who pay the taxes which support the expensive governmental machine, he called into conference all the chairmen of the sub-committees of the Appropriations committee, and obtained from them a promise that not one dollar would be added to the budget, but that in the case of each separate appropriation bill, every economy possible would be made.

The same loyalty that, as a worker in the ranks, he gave in the years gone by to his leaders in the House, was given freely to Speaker Garner by his associates in the House.

The man who had been tried by his colleagues for

so many years, and had been proved to be "four square to all the winds that blow," profited by the rewards that honor and character invariably confer. But with the office to which he was called went an enormous responsibility to the country. Mr. Garner accepted the Speakership with a clearer realization of the extent of that responsibility than anybody else in the country possessed, as dramatic events in the House later on were to prove.

When the first session of the Seventy-second Congress convened, December 7, 1931, no Democratic aspirant for the Speakership appeared against him. His party acknowledged his leadership, and turned to him instinctively. Mr. Garner understood the psychology of the House, and of that part comprising the Democratic majority, better perhaps than did any other man in the House. He had spent his whole manhood there.

He knew what the House would do in its varying moods and tempers, and what it would not do. He knew that it could be led, but that it could not be driven. He plumbed the depths of the soul of the House, with a rare comprehension of the emotional stress under which every member labored at a time of national economic peril.

His associates knew that in John N. Garner the House would have a safe leader. His peculiar hold upon the House led to his election as Speaker, without any conflict or dissension within the party, at a time

when it was never more essential that the party should present a united front.

In view of the slender majority by which the party held control of the House, this was of the utmost importance. As finally constituted, there were 220 Democrats, 214 Republicans, and one member of the Farmer-Labor party. A slim Democratic margin, indeed, constantly threatened by death or disability. To count upon a party vote was impossible.

A great many Southern men had risen in the House, by seniority, to places of minor party leadership. They were the ranking Democrats on the various committees in the previous Republican House, and at the beginning of the new Congress naturally looked forward to the places in the House to which they were entitled by length of service.

His defeat for reelection in the Sixty-seventh Congress, however, had cost Henry T. Rainey, the veteran of Illinois, the high place which he had once held on the committee on Ways and Means. He had returned to the House in the Sixty-eighth Congress, and had been restored to his old committee, but under the seniority rule he had been obliged to take a place lower down on the Democratic side. At the opening of the Seventy-second Congress, James W. Collier, of Mississippi, was the ranking Democrat on Ways and Means, and became its chairman.

Several prominent Democrats, of long service, were

eligible for the position of Floor leader, and had strong backing in the House, but they voluntarily stepped aside, in the interest of party harmony, in order that the Floor Leadership might go to a northern Democrat. This was not only a tribute to Mr. Rainey, who was chosen by the caucus to be the Floor Leader, but to Mr. Garner as well, whose success as Speaker would depend not alone upon party harmony in the House, but upon party harmony in the country as well.

The manner in which the new Democratic House, under Speaker Garner and Floor Leader Rainey, functioned in the early part of the session, became the admiration of the country.

The one question of paramount concern to the nation concerned its financial condition. Mr. Garner appreciated this perhaps better than any other member of the House. As the long summer of 1931 passed like a nightmare, he remained at his home in Uvalde working out a tax program to be submitted when the new Congress should convene. He perceived before those in authority in Washington did, that the prime essential was the balancing of the budget.

At that time the political complexion of the House was in doubt. Speaker Nicholas Longworth had died, but it was still undetermined whether his successor would be another Republican, or a Democrat. If the Republicans should control, Mr. Garner was certain to be the Minority Leader, and it was with this in mind,

rather than the Speakership, that he worked, during the long recess, upon the subject in which he had been for many years chiefly interested, the subject of taxation.

President Hoover took no advantage of his Constitutional right and duty to call Congress in extraordinary session, although the situation of the Treasury was critical. Government expenditures were dangerously in excess of revenues, but no effort was made to bring Congress to Washington ahead of time to deal with so perilous a situation. The Administration adopted a drifting policy.

When Mr. Garner became Speaker the House was quickly organized, and the Ways and Means committee speedily began consideration of a measure to raise taxes adequate to meet the vast expenses of the Federal government.

The committee finally, by an almost unanimous vote, reported a revenue bill which contained one feature toward which there was considerable opposition. This was a general manufacturers' sales tax. This opposition finally increased to such an extent that the entire sales tax provision was defeated in the House by a coalition of Republicans and Democrats, although Representative Charles R. Crisp, of Georgia, Acting Chairman of Ways and Means in the unavoidable absence of Chairman Collier, conducted a masterly defense of the entire bill.

Representative Rainey, the Majority Leader, one of

the most liberal members of the House, and the author of the Democratic platform plank opposing the sales tax, ardently supported that plan of taxation, not because he believed it ideal, but because he perceived that the nation was faced by an economic crisis, and that the sales tax, however objectionable it might have seemed to many, offered the only large reservoir of taxation which could be tapped, with least injustice to individuals, and a minimum of disturbance to industry.

But as the debate proceeded the opponents of the sales tax, on both sides of the House, gathered strength, and they finally defeated the provision, without providing for sources of revenue to take the place of the taxes thus stricken from the bill.

The country took alarm. Chairman Joseph W. Byrns, of the Appropriations committee, and one of the principal Democratic leaders of the House, even went so far as to declare from his place on the floor that it was not essential for the United States to balance its budget. How disconcerting this must have been Mr. Garner eventually disclosed.

The crash of securities which followed the headlong rush of the House to sweep the sales tax from the bill echoed from one end of the country to the other. Foreign capitals caught the alarm. The American gold standard was in peril.

Speaker Garner did the only thing that he could do.

He took the floor to save the national credit. It was not only the most dramatic moment in his own long Congressional career, but it was one of the greatest moments of drama which the House of Representatives has known in its long and eventful history.

As Speaker Mr. Garner was endowed with none of the attributes of power which previous Speakers had possessed. Most of those powers had been stripped from the Speakership in 1910, when the Insurgent revolt occurred in the House against "Cannonism."

Until the political downfall of Joseph G. Cannon the Speakers of the House, and particularly the strong Republican Speakers, had wielded a power amounting to absolutism. The Speaker was the "boss" of the House. He appointed all the committees, and named their chairmen. He appointed the committee on Rules, which had only five members, and of which he was himself the Chairman. With the two other Republican members of that committee, whom he dominated, who owed their preferment in the House to him, he was, in effect, himself solely the entire committee on Rules. And that committee, at the height of the old régime, was at once the policy committee, the steering committee, and, if there had been such a thing, the executive committee of the House. Moreover, the Speaker had an absolute power of recognition. That is to say, when Thomas B. Reed was Speaker, and in the Speakership of Cannon, a member who wanted a

bill passed had to go to the Speaker, in person, state his case, and ask to be "recognized" from the floor. If the Speaker did not care to recognize him, that was the end of it. He could not catch the Speaker's eye, he could not bring up for action a bill or resolution on which his political life might depend.

But the Speaker's power went beyond this, in Reed's time, and in Cannon's time. The Speaker could remove a member of a committee, and he could remove a chairman of a committee. Speaker Cannon did not hesitate to use this power. He removed chairmen who refused to report from their committees bills which he desired the House to act upon.

Even this was not as far as the old-time despotic Speakers were able to go. Controlling all committees as they did, through their chairmen, through the power to reward and punish every member, the Czar-like Speakers could see to it that members who did not work well with the political oligarchy which surrounded the Speakership, who were recalcitrant, were deprived not merely of places of preferment in the House organization, but were denied, in the great supply bills, appropriations for their own districts, items such as for public buildings, rivers and harbors improvements, and various others, upon which their reelection to Congress might depend.

This was the system which prevailed in the House of Representatives until 1910. It had been nearly a cen-

tury in being developed. The system crashed in the Sixty-first Congress, when, in March, 1910, Speaker Cannon was removed from the committee on Rules, and deprived of the power to appoint it. Subsequent reforms in the House took from the Speakership every vestige of the despotic powers which the office had formerly possessed.

Thus, when Speaker Garner was brought face to face with the crisis in the House growing out of the opposition of Republican and Democratic groups to the revenue bill which had been presented by the Ways and Means committee, he possessed none of the powers which Reed and Cannon could have used, and would have used, to meet a similar emergency.

There remained to Speaker Garner, in a far greater national crisis than any that had confronted a Speaker of the House since the Civil War period, when the Union itself hung in the balance, only the imponderables, the powers of logic, persuasion, and psychological insight into the minds of men.

As the House worked itself into a state of hysteria over the sales tax, Mr. Garner permitted the tides of feeling to run their course. It is apparent now that he could not have swept them back when they were at their flood, that he would have lost all control over the situation in the House later on, if he had attempted to stem them too soon.

On Tuesday, March 29, 1932, when he had called

the House to order, he summoned Mr. William B. Bankhead, of Alabama, to the chair, and quietly took a place on the floor. When the Journal had been read, he addressed the chair. It was a memorable, a never-to-be-forgotten scene as he faced that sullen membership. Nearly every seat was occupied, many Senators, sensing what was about to happen, were upon the floor, and the galleries were crowded to the doors. The speech which he then delivered doubtless will be ranked by historians among the most notable addresses ever heard in Congress. Few speeches in Senate or House have ever changed votes. This one changed well-nigh an entire House. Mr. Garner said:

"Mr. Chairman, I will not abuse the privilege, because it is not my purpose to make an extended statement. When I was elected Speaker of the House of Representatives it was my purpose then—and it has been my purpose all along, and it shall be my purpose in the future—to preside over the House of Representatives as impartially and fairly as my intellect will permit. [Applause.] In order to do that I felt it would be better if I did not enter into general debate, for fear it might become partisan, and therefore I have refrained up to this time to take the floor on any subject.

"It was my intention to refrain this session from addressing the House or the Committee of the Whole; but, in view of the fact that I had served 18 years on the Ways and Means Committee, had acquired some knowledge of taxation, it was felt by some of my colleagues on that committee that I owed a duty to the House to make some statement concerning the tax situation. Yielding to that, I appear before you this

morning to make what I conceive to be a statement as to the duty and right of each Member of the House from my viewpoint.

"In October the President of the United States requested certain Members of Congress to come to Washington to consider certain questions that he had in view to recommend to the Congress of the United States when it met.

"While here in Washington there was a very grave doubt in the minds of certain officials and members of the administration whether there would be a tax bill at the coming session.

"After ascertaining this, I returned to my home, and for the first time in my life undertook to prepare an address to the House of Representatives, believing that the Republicans would organize the House and that my Democratic colleagues might elect me leader.

"I believed then, as I do now, that it was the duty of our Government to sustain its credit and to ask Congress to balance the Budget. [Applause.] That speech will never be delivered, because I was not selected as the minority leader, but happened to become the Speaker of the House of Representatives.

"I arrived here on the 11th of November, before the Congress met. The newspaper men gathered in my office at that time, when it looked as if the Democrats would organize the House of Representatives, and whatever I might say might be interesting to the country. The first interview I gave was to impress upon them—and, I hope, to impress upon the country and my colleagues—the importance of maintaining the financial integrity of this Republic. [Applause.] I have from that time until this repeatedly, before Congress met and before I was elected Speaker, maintained that the highest pos-

sible duty that the House of Representatives could perform for the people of the country during this session was to levy sufficient taxes to sustain the financial integrity of the Republic.

"It was suggested by some of my colleagues, both in the Senate and in the House, that it might be advisable from a party standpoint and of the service to the country that the Democrats of the House and the Senate get together and, so far as they could, outline a program or policy which we thought would be to the best interests of the country. In pursuance of that thought, Senator Robinson, leader of the Democrats in the Senate, and myself selected what is known as the policy committee. It was composed of 10 Members of the Senate and 10 Members of the House. I shall read the names of that committee, because I think it will illustrate both to the Republicans and, I hope, to my Democratic friends that the committee is composed of average Democrats of the House and of the Senate.

"The Members from the Senate are Senators Robinson of Arkansas, Walsh of Montana, Walsh of Massachusetts, Harrison, Pittman, Glass, Bulkley, Wagner, Hull, Barkley. The Members of the House on that committee are Garner, Rainey, Byrns, Collins, Crisp, Bankhead, Taylor of Colorado, Drewry, Sandlin, and Greenwood. That committee from time to time had meetings in my office for the purpose of discussing what was the best interest of the country as well as the best interest of the Democratic organization of the House and the Senate. On January 6 of this year, after a two hours' session and a full discussion, that joint committee unanimously decided upon this language as expressing what should be the Democratic policy of the Senate and the House of Representatives: 'It is of primary importance that the Budget be balanced promptly.'

"As I say, that was unanimously adopted by the policy committee. I believed then, and I believe now, that the paramount duty of the House of Representatives is to levy sufficient taxes of some kind, of some nature, that will sustain the credit of this country in the eyes of the world as well as our own people. Later on the Ways and Means Committee went to work with a view of bringing about that desired end. After a discussion of more than 30 days—and if I make a mistake in any statement concerning the Ways and Means Committee, I hope the gentleman from Georgia will call my attention to it——"

"Mr. Chairman," interrupted Mr. Crisp, "we had hearings lasting more than 30 days. Over 177 witnesses appeared before us, and the committee was in executive session about five weeks before we finally brought out the bill."

"Before the bill was reported," Mr. Garner continued, "some two or three weeks before it was brought out, it was decided by a meeting of the Democrats of the Ways and Means Committee and myself in Mr. Crisp's office that the better policy would be to prepare a nonpartisan tax bill and present it to the House of Representatives. In view of the fact that the Democratic majority is small, we felt it would be difficult, if not impossible, to pass in the House of Representatives a partisan bill. In addition to that, in the hearts of these men and in their conversations they thought it was the more patriotic thing to take into our confidence the entire membership of the House in undertaking to pass this important piece of legislation. The only two thoughts conveyed to the country in the statement from the Ways and Means Committee were that it was to be a nonpartisan bill and that there were to be sufficient taxes raised to balance the Budget.

"I mention the background of this, Mr. Chairman, and my

Democratic friends especially, to meet some criticisms that have been directed at me for advocating the policy of levying sufficient taxes to sustain the credit of the Government. In view of that background, I think I had a right to ask the House of Representatives, and especially the Democrats, to join with us in an effort to levy sufficient taxes to take care of the obligations made by the Congress of the United States. The Committee on Ways and Means went about their work in executive session and reported a bill to the House of Representatives. In the course of those executive sessions I was told, and I think the membership of the House was told, that the committee believed it impossible to find sufficient taxes which they thought the House would indorse in order to balance the Budget, unless they went to a manufacturers' tax. My reply to that was that I had been opposed to a sales tax ever since I had been a member of Congress, and I had always, and always would be opposed to a sales tax. I am now opposed to a sales tax; but, gentlemen, if I find it impossible to balance this Budget and restore the confidence of the world and our own people in our Government without some such tax I would levy any tax, sales or any other kind, in order to do that. [Applause.] I think more of my country than I do of any theory of taxation that I may have, and the country at this time is in a condition where the worst taxes you could possibly levy would be better than no taxes at all. [Applause.]

"The Committee of the Whole House acted otherwise. I have no quarrel with you. I have said on the floor of this House scores and scores of times, and I repeat it now, that I do not believe in rules being applied to the House of Representatives that take away from it the freedom of expression not only of your voice but of your vote. I believe in freedom

of expression; therefore I was unwilling to have any gag rule, so called, applied to the consideration of this bill. I wanted the Members to have free opportunity to express themselves in the Committee of the Whole, and you have had that opportunity. You have expressed yourselves; you have arrived at a conclusion that you will not have a sales tax; and, I repeat, I have no quarrel with you because of it.

"I appeal to you, not only in the name of my party but my country, that in view of the fact there has been stricken from this bill more than \$500,000,000 of taxation, it is your duty, your paramount duty, to help this House and this Committee restore some taxes to this bill in order that this country's financial integrity may be maintained. [Applause.]

"My only object in taking the floor was to make that one appeal.

"Last Saturday, as well as yesterday, the people of the world realized that Congress, in a gesture, had indicated that it did not intend to balance this Budget. What was the result, not only among American people but among the peoples of the world?

"As reflected through the New York Stock Exchange and other exchanges in this country, what did we find? We found the foreigner selling the dollar. We found our exchange going down more than it has at any time in the past 12 years. We found it renewed yesterday, and we found that followed by a sharp reduction in United States securities. What does that mean? It simply means that the \$1,800,000,000 of money belonging to foreigners who have come to us with the idea that this flag not only protected the person but protected property and who put their credits in the banks of our country because they thought that was the safest place on the face of the earth to deposit their wealth have transferred their

gold to foreign vaults. When they heard around the world that there was some doubt about this Congress balancing the Budget they immediately began to withdraw their wealth, to sell American exchange, and transfer their gold to foreign vaults. As sure as I stand in the well of this House, I believe that if this Congress today should decline to levy a tax bill there would not be a bank in existence in the United States in 60 days that could meet its depositors. I believe that the shock to the Nation, the shock to the foreigner who is doing business with us, would be such that there would be a financial panic such as has never been equaled in this Republic since its organization.

"This committee will bring in a program. I hope you will support it. [Applause.] I do not want all the taxes that are in there. You can not get just the taxes that you want. This committee is composed of 24 men from 24 different states. I believe you will admit they are fairly intelligent. They are patriotic. They want to serve the country. They want to serve you. They would like to bring in an ideal bill that could be voted for by every Member of this House, but it is impossible to do it.

"So I appeal to you that if you do not like the taxes which they report will you not be good enough, will you not have statesmanship enough when you criticize it and ask to strike it out, will you not have the manhood to substitute something in its place? [Applause.]

"At the risk of being criticized I want to give to the world and to the country today, if I can, an expression of this House, so that the world and the country may realize we are going to balance the Budget. Mr. Chairman, may I do an unusual thing? I may be criticized for it, but I want every man and every woman in this House who hopes to balance

the Budget and who is willing to go along with that effort to try to balance the Budget to rise in their seats. [Applause, the Members rising.]

'Now, if they do not mind, those who do not want to balance the Budget can rise in their seats. [No one rises.]

"I think this ought to restore to the American people confidence in our country. [Applause.]

"We may have differences among ourselves, but in our hearts we are patriotic. We want to serve this Republic. This is a sensible Congress and we can get sensible results.

"I again want to ask the charity of the House, and I am going to say to the membership that, with their permission, for the balance of the consideration of this bill I hope to participate in it. [Applause.]

"I said to the gentlemen of the Ways and Means Committee yesterday that I would not consider it any reflection on me or on my honor or integrity or desire to serve the Nation if the committee disagreed with me about some of the taxes. That is a privilege. It is not only a privilege but it is the duty of the Members to express themselves. [Applause.]

"I am an organization Democrat. I never in my life cast a vote against my own judgment except I had to go along with the Democratic organization. [Applause.] I have done that and I will do it again. You must have organization. We have it through committees, and it is the only way we can function in this House.

"Let me say to the Republican side that during the consideration of this bill, while some remarks have been made by men in high authority on the outside that ought not to have been made, the membership in this House on the Republican side have been quite decent. [Applause.] I am willing

to pay them that encomium because they are entitled to it.

"Gentlemen, I just wanted to say these few words to you. Let me say to the Democrats alone, do not become critical, do not throw brickbats, let us be brotherly so far as we can. If one of us should disagree, do not point your finger at him and say he is not a Democrat. That is not the thing to do and it is not helpful. I pray you on this side to be in a good humor so far as you can. You are here to serve your country; and, gentlemen, let us put through this legislation at the earliest date possible in the interest of our country."

The House rose as he concluded, and applauded him. Few have ever witnessed in the halls of Congress a more dramatic climax than that which followed Speaker Garner's appeal that those of his colleagues who were willing to try to balance the budget should rise in their seats. There was about it something of religious fervor. One could almost see the "saw-dust trail," and the "mourner's bench." Here and there a Member sat in his seat, deaf even to this appeal to the loftiest sentiments of patriotism. Their names will be mercifully forgotten.

Nearly the entire membership did rise, amid silence that was almost painful in its intensity. The packed galleries were hushed. All eyes were turned toward the figure of the Speaker, standing in the well of the House, facing that vast body of men and women, chosen Americans sent to Washington to make the laws for the Republic.

They saw a man of stocky build, rugged and firm of body, of about the medium height. A blue-eyed, gray-haired man, of ruddy complexion, glowing with health, the color of his earnest face heightened by his emotions. They saw a plain man, plainly dressed in a very much rumpled light tan-colored suit. Not a frill upon him anywhere.

The words that he had uttered had been simply spoken. But they had carried to the farthermost ends of his own country, and to the capitals of foreign lands.

A sigh of relief went up at home and abroad.

The pledge that the United States of America would balance its budget made the world breathe easier.

The House began at once, in chastened mood, to balance the budget. The Ways and Means committee submitted an alternative bill, designed to impose the necessary taxes to make the government's income match its expenditures. The budget was balanced in short order, and the completed bill, raising \$1,000,000,000 in revenue, was sent to the Senate. It was imperfect—but it did balance the budget!



The Garner house at Uvalde



Mr. and Mrs. Garner and their only grandchild Genevieve, at their home in Uvalde, Texas

## *Chapter Sixteen . .*

**W**HEN Congress is in session the Speaker and Mrs. Garner live at the Washington Hotel, at Fifteenth Street and Pennsylvania Avenue, opposite the Treasury. They have a small and modest apartment. This is their home at the Capital.

Mrs. Garner, the indefatigable secretary, is an early riser. She goes to the Capitol every morning an hour or so ahead of the Speaker, and has the mail ready for his inspection by the time he reaches his office.

The Speaker every morning walks the historic mile, from Treasury to Peace Monument. There he usually takes a street car, for the long winding ride up Capitol Hill.

For a good many years past the Vice President and the Speaker of the House have been given official

automobiles. In Speaker Longworth's time, he and Garner usually left the Capitol together every evening, in the official automobile. Garner always referred to it jokingly—and prophetically—as "our car."

But when he became Speaker, Mr. Garner declined the official automobile. This was not a mere gesture. The cost of one of these cars, and its upkeep, amounted to some \$10,000 a year, and while even such a saving was important, it was not wholly for the reason of economy that Mr. Garner declined the customary "Speaker's car."

The Garners have never owned a car in Washington, and they couldn't see why they should accept one at the public expense. They rarely go out in a social way, never into what is called smart society.

When somebody asked Mrs. Garner what she would do about the matter of precedence at official affairs, which had caused an amusing controversy between Vice President Curtis and the late Speaker Longworth, she looked surprised and said:

"Why, precedence doesn't mean anything to us—we are just two people from Texas."

And there, indeed, one finds the keynote to the character of this wholesome American family.

At the hotel they enjoy the society of a circle of some forty or more Congressional families. In the parlors, of evenings, they play a little bridge, but the former poker-playing jurist of Uvalde, now grown into



The Speaker's mother today at her home in Detroit, Texas



a good-looking, solid, substantial man in his early sixties, with gray hair, and healthy, ruddy face, finds all the amusement he needs playing bridge for the mere fun of it. There are no stakes in this Congressional game.

Often in the evening the Garners go for a walk through the White Lot. Both of them are movie fans, and take in all the good shows. Except on the rarest occasions the Speaker is in bed by 9:30 o'clock in the evening. He sleeps the sleep of a man who enjoys a clear conscience and rugged health.

Every summer, when Congress adjourns, they go back to Uvalde, to the beautiful home surrounded by magnificent live oak trees which they have built there in the heart of the little town, in an orchard and garden of six acres.

The Speaker raises better sweet potatoes than anybody else in the county, and he is proud of them. He has a fine vegetable garden. There are lots of roses, and fruit trees. The Speaker also takes great pride in his pecan grove.

The only son, Tully, who manages the family property in Uvalde, is now thirty-five years old. He married Miss Ann Fenner, of Texas, and they have one daughter, Genevieve, nine years old, the Garners' only grandchild. She is the Speaker's pet, and is with him all the time when he is home, looking after his farms, ministering to the horses and cows, and, upon occasion,

feeding a litter of motherless kittens with a medicine dropper, while the small granddaughter stands by with clasped hands and a rapt expression on her face.

And there is another who is always mighty glad when Congress adjourns, and Jack comes home.

His mother is as proud of him today as she was the day he left home, a boy, to make his place in the world.

When he had walked into the House of Representatives on December 7, in a brown suit and soft shirt, the same identical John N. Garner the House had known for twenty-eight years, without even a new necktie to celebrate the event, and had taken the oath as second highest officer of the government, congratulations poured in upon him from all over the country.

But the man who had just become Speaker gave out to the newspaper correspondents only one of these messages.

It was from his 80-year old mother, still living there at Detroit, in old Red River county, where he was born. It read:

"Am listening in with love and pride. You have made your mother's heart glad."

As she had said when she had first heard that her son would be elected to the American Speakership:

"It won't hurt John any—he's a good boy."









